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Assessing the People's Navy: Gender Transformation and the South African Navy

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Abstract

The South African Navy is required to implement the principle of gender equality as part of its transformation. This forms part of a broader project of transformation in South Africa, the Navy is one aspect of this. The dissertation is located in the field of Civil-Military Relations.

The assessment of transformation is done by first, understanding the complex term *transformation* and its how it has been applied to the military. Second, the policies requiring transformation in the Department of Defence and the military are examined drawing on the Constitution, the White Paper on Defence, the Defence Review Process and numerous Parliamentary resources, including interviews with relevant Members of Parliament.

To assess the Navy, three Naval Orders are examined (Equal Opportunity and Affirmative Action, Social Responsibility, and Gender Transformation), which together constitute the Navy's policies regarding Gender Transformation. The assessment is furthered by the examination of the numbers of women serving in the Navy and the rank distribution. These statistics are then compared with: similar data from 1999; the relative situation to men in the Navy; the racial profile of the Navy; the different service arms; and to other navies. In comparison to the other service arms and international standards, the Navy's transformation has progressed well. A number of issues of concern are raised along with implications for future research.

List of Abbreviations

AA	Affirmative Action
ANC	African National Congress
APLA	Azanian People's Liberation Army
CGE	Commission on Gender Equality
CMR	Civil Military Relations
CONTRALESA	Congress of Traditional Leaders South Africa
COSATU	Congress of South African Trade Unions
DA	Democratic Alliance
DoD	Department of Defence
DPLG	Department of Provincial and Local Government
EO	Equal Opportunity
IDF	Israel Defence Forces
IFP	Inkatha Freedom Party
JSCD	Joint Standing Committee on Defence
NATO	North Atlantic Treaty Organisation
NCHE	National Commission on Higher Education
NCO	Non-Commission Officer
NCOP	National Council of Provinces
NDR	National Democratic Revolution
NLM	National Liberation Movement
NEC	National Executive Council
MK	Umkhonto We Sizwe
MP	Member of Parliament
MSDS	Military Skills Development System
PCD	Portfolio Committee on Defence
PMG	Parliamentary Monitoring Group
RN	Royal Navy
SACP	South African Communist Party

SADF	South African Defence Force
SAN	South African Navy
SANDF	South African National Defence Force
SAPS	South African Police Service
SARS	South African Revenue Service
SSR	Security Sector Reform
TBVC	Transkei-Bophututswana-Venda-Ciskei
UK	United Kingdom
US	United States
USSR	Union of Soviet Socialist Republics

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Declaration

This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work, or works, of other people has been attributed, and has been cited and referenced.

Simon D Taylor

Signature:

Date:

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Chapter 1 - Introduction

In 1994 the newly elected ANC government embarked on an ambitious project of transformation – a broad-based attempt to introduce the principles of Equality and Representative Government to the structures of government and society as a whole. When the government turned to the transformation of the military, a number of critical issues soon became apparent. One of these was the role of women in the military.

The aim of this study is to examine the degree to which the South African military has transformed over the past 10 years: The focus will be on the issue of women in the South African Navy.

1.1 Research Question

The research question is: How has the South African Navy progressed in transforming the role of women, as one aspect of the transformation of the military which, in turn, is one part of the broader process of transformation in South Africa?

This dissertation will first illustrate the literature on transformation, and, second, the sources of policy for the SANDF. Third, the status of women in the SAN at present will be illustrated and compared with data from previous years, and other criteria. This will show how the SAN has accommodated this transformation over the past 10 years.

1.2 The Civil-Military Relations Approach

The best location for understanding the research question is, for a number of reasons, within the framework of Civil-Military Relations. This dissertation does not directly relate to CMR literature as it is primarily concerned with policy and is

a study of policy transformation. However, the policy relates to the military and its interaction with the civilian authority. Therefore, a brief overview of CMR literature is warranted in order to locate this thesis in terms of issues and time, specifically the later period of Security Sector Reform literature.

CMR traditionally examines both military and civilian (societal, economic and political) issues; gender is one such issue. Other approaches, such as Peace Studies and Strategic Studies, cannot account for change as well as CMR does. However, this thesis is not a case-study of CMR, but rather uses its principles as a guide.

The leading CMR literature can be separated into three chronological categories, each with its own primary authors and themes. The first, the Classical period, dates back to Thucydides and his explanations of the Peloponnesian War between Athens and Sparta. Here the cultures of the two states are shown to be an important factor in the conduct and eventual victory of the war.¹

The second period, which covered the Cold War or Post-World War II, was dominated by writers such as Samuel P Huntington. A new understanding of CMR emerged during this period from the American military's use of academics during World War II to study the different aspects of their conduct of the war. Huntington's *The Soldier and the State* developed a general theory of CMR with the fundamental theme being:

... the relation of the officer corps to the state.... The officer corps is the active directing element of the military structure and is responsible for the military security of the society. The state is the active directing element of society and is responsible for the allocation of resources among important values including military security.²

¹ For a more detailed discussion, see Annette Seegers, "The Military and the Academic Community" Paper Presented at the *Annual SA Army Conference*, 19 October 1995

² Huntington, SP, (1957) 1981. *The Soldier and the State: The Theory and Politics of Civil-Military Relations*, Massachusetts: Belknap Press pp 3.

Civilian control over the military is a particular aspect of CMR in the second period, and addresses the essential question of how military power can be minimized.³ Other authors examine civilian control in developing states and see a “distinction between civilian controlled governments and praetorian regimes” which “lies in the methods and means employed by the armed forces to promote their views, and the degree to which soldiers are willing to accept and implement the final decisions of the civilian authorities.”⁴ Certainly, the main theme of CMR during this period was the establishment of civilian control and the professionalizing of the military.

During the third period, Post-Cold War, much of the literature is concerned with reform and the transitions of militaries. One dominant theme is Security Sector Reform (SSR). As a field of study, SSR first originated out of the development economics school, which was concerned about the effects of unreformed militaries in developing and less-developed states. This was followed by authors who looked at the security reform in terms of domestic governance, and later its effects on democratisation, human rights, transparency and accountability.⁵

There are, in general, two approaches to SSR, which depend on the scope of the term *security*. The first takes a much narrower view, and is therefore limited only to those organisations in a society which are typically concerned with security, i.e. the military and the police force.⁶ The second approach operates under a much broader definition of security, and is primarily concerned with

³ Ibid, pp 4. Huntington provides two answers: maximising civilian power and maximising military professionalism. The aim is to make the military politically sterile and neutral.

⁴ Danopoulos, CP. 1992. “Civilian Supremacy in Changing Societies: Comparative Perspective” in *Civilian Rule in the Developing World: Democracy on the March?* Danopoulos (ed), Boulder: Westview Press, pp 3

⁵ Yusufi I, “Security Sector Reform in South East Europe” available at *Centre for Policy Studies*, <http://www.policy.hu/yusufi/researchreport.pdf>, 18 February, 2003, date accessed: 30/08/2004

⁶ Ibid. See also King J, Dom AW, Hodes M, *An Unprecedented Experiment: Security Sector Reform in Bosnia and Herzegovina*, Bonn International Centre for Conversion & Saferworld, September 2002, pp 8 – 9.

human security issues. The foremost advocates of this approach of late are the *Deutsche Gesellschaft für Technische Zusammenarbeit*.⁷

Proponents of SSR argue that without a cohesive and widespread SSR programme, countries will continue to be plagued by a host of structural problems, including endemic conflict, rampant organised crime and ineffective judiciaries. Subsequently, they will suffer from low to terminal economic growth and make for an environment hostile to democratic processes.⁸ SSR is now a widely accepted policy and generally deals with different tasks.⁹

Most of the SSR literature is geared towards peacekeeping missions and external post-conflict actors. Many of the problems that face post-conflict states around the world were present in South Africa in the mid- to late-1990s.

1.3 Methodology

The form of this thesis is a case study of the SAN's gender transformation policy¹⁰. As the literature shows, gender transformation policies have three concurrent goals – redress, fairness and opportunity, and representivity. This thesis will assess the progress of the SAN in terms of the latter – representivity.

⁷ See <http://www.gtz.de/en/unternehmen/689.htm>, although this is more recent organisation to become involved in SSR, they do appear to be a primary advocate of this second definition of SSR.

⁸ Ball N, "Rebuilding War-Torn Societies" in *Managing Global Chaos*, Crocker CA, Hampson FO, Aall P (eds), 1996 pp 614 – 615, Yusufi, op cit, 2003, pp 8 – 9, King et al, op cit, 2002, pp 8 – 9. These tasks include: the disbanding of opposition and/or paramilitary groups and the demobilisation of government forces; setting out rules and procedures for the security forces, both internally and external, i.e. military and police; tighter controls over the evaluation of former officers before induction into the post-conflict forces; institutional arrangements for assessing security needs; restructuring the armed forces according to budgetary necessities; increasing transparency and accountability; increasing civil control and oversight; stressing democratic norms in the security education systems; and the termination of unconstitutional recruitment procedures.

⁹ Ball N, op cit, 1996, pp 615 – 616

¹⁰ A comparative study, although possibly desirable, suffers from a lack of adequate comparative cases. When considering potential variables (such as: religion, culture, force size, economic development, political structure, gender relations) that would influence the representivity of women in navies, few countries appear comparable to the South African case.

Various indicators will be used in this policy assessment, drawing on three different sources: Primary documents; official numbers obtained from the SAN (i.e. SAN Personnel Statistics); and interviews conducted with three Members of Parliament from the Joint Standing Committee on Defence. The MPs from the DA and IFP are spokesmen for Defence issues and the ANC MP is the chairperson of the JSCD.

The first indicator is the number of women in the SAN. This is measured in both absolute and relative terms. Second, the distribution of women through the ranks is similarly measured in absolute and relative terms. The strength of this method is that it will rely on empirical evidence and is based on a simple comparison between the numbers and distribution of men and women. An apparent weakness is that the number of women in the SAN, and their ranks and promotions is, of course, only one indicator of transformation. Therefore, along with the empirical data, the SAN's policies are assessed according to the views of the MPs.

1.4 Theoretical & Practical Justifications

South Africa is in the midst of a major transformation project. This is a broad-ranging project affecting all levels of society in business, civil society, sport, and all corners of government. Transformation of the military was one of the most pressing concerns for the new government for a variety of reasons, not least of which was the integration of the liberation movements, the forces of the TBVC states and the SADF.

The justification for focusing on the South African Navy is that the SAN is, from a CMR standpoint, different to the other established service arms. Navies, internationally, have tended to be more progressive, egalitarian and open to

change, as has been well documented by Cynthia Enloe.¹¹ This tradition is particularly evident in the South African case, as most clearly demonstrated by the Simonstown Agreement of 1955, which states the following¹²:

The Union Government confirm :-

- (a) that there will be no bar on the recruitment and employment of non-Europeans.
- (b) that there will be no discrimination based on colour in the rates of pay for comparable jobs
- (c) that non-Europeans, once recruited, will have the same security of tenure as Europeans

(The foregoing (a), (b), and (c) are in accordance with the accepted policy of the Union Government, (b) being the present practice in the Cape Province and (c) the present practice in the Union.)

Additionally, for a considerable part of the apartheid regime, the SAN was considered the 'step-child' of the South African armed forces. It was greatly neglected in terms of both the overall concern of the SADF and funding, in particular. Thus the new democratic dispensation has granted the SAN a chance to overhaul itself.

The reason for choosing to look at gender issues is to examine whether the progressive, egalitarian nature of the SAN is true for gender and not just race. Although transformation in terms of race is an important factor in Civil-Military relations and in the South African military, greater recruitment across racial divides would not necessitate the concomitant institutional changes that are demonstrably part of recruitment across the gender divide. Thus, transformation in terms of gender requires a more fundamental change in the nature of the institution.

Additionally, the distinction between combat and non-combat roles in a navy and on a ship is more difficult to discern. Compared to most armies, there are either formal or informal policies in place to restrict combat roles to men. For

¹¹ See *Police, Military and Ethnicity: Foundations of State Power*, Transaction Books: New Jersey, 1980; and *Ethnic Soldiers: State Security in Divided Societies*, University of Georgia Press: Georgia, 1980

¹² UK Ministry of Defence, Article 4, pp 14 in *Exchange of Letters on Defence Matters between the Governments of the United Kingdom and the Union of South Africa*, June 1955

instance, during apartheid, women were specifically recruited into staff positions in order to release more men for frontline service. A similar situation exists for air forces around the world, where very few combat or fighter pilots are women. Most navies do not make this distinction about combat roles; indeed the only apparent restriction applicable to women regards submarine duty. The usual reason for this restriction is based on availability of space – separate amenities take up too much space in already cramped quarters.

Similarly, navies, much like air forces, tend to be much more skills-based than armies. Thus many of the biological debates around strength and endurance are defused in a naval environment. This means that there are not as many obstacles to face when it comes to the integration and promotion of women. Hence, the more salient variables become the political control and internal policy.

Moreover, many democracies do provide opportunities for women in their armed forces, but very few are willing to include women in roles that have a high probability of seeing combat. However, non-democracies, in particular communist states such as the USSR and China, and many guerrilla armies, openly allowed women to play greater roles in their militaries and to serve on the frontlines in combat positions. This is particularly prevalent in liberation armies, such as the ANC's MK. Thus, it was inevitable that the role of women in the armed forces would become an issue for a new Department of Defence.

Representivity is used as the primary tool of assessment because this is the essential quality inherent in many of the policies and principles which advance transformation in the military. Reliable and objective measurements of representivity can be made, whereas qualities such as fairness can only be measured by detailed interviews with a representative sample of naval personnel.

1.5 Research Ethics

For all interviews conducted, the individuals concerned were informed of the aims of the interviews and permission was granted for their consent for the interviews to be taped and transcribed. Additionally, consent was also given for the interviewees to be quoted by name and office. This was done in compliance with University of Cape Town Ethics Committee regulations. A list of the questions posed is listed in Appendix B. All the interviews were conducted in Parliament between November 2005 and February 2006.

A great deal of information was obtained from the DoD's human resource database, after official permission was gained. As such, all issues relating to National Security have been resolved and cleared.

1.6 Design

The chapter and parts are presented as follows: first, the relevant literature concerning the transformation debate in South Africa will be examined under chapter two. This will be conducted in three parts. The first part demonstrates that in post-1994 South Africa there is a broad project of transformation underway. This comprises the fundamental overhauling of the state and its various institutions. Furthermore, a transformation index is developed, based on what the South African government understands as transformation. The second part identifies the military and the DoD as integral parts of this project. Various sources of literature are surveyed, with the focus on the South African experience of Security Sector Reform. Part three illustrates that gender is a crucial issue (with the focus on women) to transformation and the military. The broader CMR framework of the debate is introduced along with some international examples.

In the third chapter, the legal and policy framework is established and comprises all relevant government literature, starting with the Constitution. This is followed by the White Paper on Defence and the subsequent Defence Review Process. The last section comprises of speeches, Hansards, committee minutes, and interviews with Members of Parliament.

Chapter four examines the policies of the SAN with respect to three Naval Orders relating to gender transformation. These cover the issues of: human resource policies, pregnancy and the creation and maintaining of a gender neutral environment. Subsequently, empirical data is provided on the number of women currently serving in the SAN, the rank distribution, and the number of women discharged since the integration of forces on 28 April 1994. This data is then compared with: similar data from 1999; the situation relative to men serving; race representivity in the SAN; the other service arms; and international standards.

Chapter 2 – Literature Review

2.1 Introduction

If there is one word to characterise the South African experience over the last 15 years, it would most certainly be “transformation”. It is a cumbersome and fluid word, but it attempts to summarise the substantial enterprise of reforming an entire nation. The literature dealing with ‘transformation’ is just as cumbersome and fluid in its subject matter.

This chapter surveys the literature in three categories: the first deals with literature relating to the general transformation project; the second is concerned with the military and DoD as integral parts of this project; the last section illustrates that one of the crucial aspects of both sections is that of gender – with the focus on women.

2.2 The Transformation Project

2.2.1 Introduction

The review of the Transformation is aimed at understanding the different arguments in the debate. This section will be divided into six elemental sections. These different sections correspond to the different realms in which the literature is present in South Africa. The first charts the course of the background of transformation in post-1994 South African politics. The second section examines the Constitutional imperatives behind transformation; both sections are based on secondary sources. The third section looks at different party views, with particular focus on the ANC’s standpoint and uses primary sources. The weighting in favour of ANC literature is justified in that it has been the majority party through three elections and thus the party’s policies would be brought to bear in all areas of the state.

The fourth section looks at policy imperatives and background. The literature in this section takes the form of policies that have been implemented in different areas of the state from various government departments and uses both primary and secondary materials. In the fifth section, assessment literature, or policy impact material, is examined. These are research papers about the extent of transformation in individual government departments and state institutions and are both primary and secondary materials. Finally, some critical and non-governmental literature is discussed. There is a modest amount of literature on the matter, which is surprising given the importance of transformation in South Africa.

2.2.2 Background for Transformation

The most apparent quality of the term “transformation” is its pervasiveness – it is found in almost all aspects of South African political life. A background to Transformation debates and the extensiveness of the term is provided by Gregory Houston and Yvonne Muthien.¹³ The authors note the pervasiveness of the term “transformation”; it is mentioned in all key ANC documents from *Ready to Govern* (policy guidelines adopted at the 1991 National Conference) to *All Power to the People* (a draft of strategy and tactics released before the December 1997 National Conference), as well as many speeches by Presidents Mandela and Mbeki.¹⁴ Former president Mandela states: “Transformation is this Government’s reason for existence....”¹⁵

As a further indication of the extensive use of the term, it is worth considering the number of government policy documents which have “transformation” in their titles. Examples include: *Transformation of the Health*

¹³ “South Africa: A Transformative State?” in *Democracy and Governance Review: Mandela’s Legacy 1994 – 1999*, Yvonne G Muthien; Meshack M Khosa; Bernard M Magubane (eds.) HSRC Press online: <http://www.hsrcpress.ac.za/index.asp?id=1947> , 2000, date accessed: 06 July 2005

¹⁴ Ibid, pp 38

¹⁵ Ibid, pp 37

*System, White Paper on the Transformation of the Public Service, White Paper on Transforming Service Delivery, and A Programme for the Transformation of Further Education and Training (Education White Paper No. 4).*¹⁶

The authors further outline four distinct areas of Transformation that the new democratic state is tasked with, as identified in *Draft Strategy and Tactics* under the section “Programme of National Democratic Transformation in the Current Phase”. These four tasks are: Democratisation and governance; Transformation of state machinery; Economic transformation; and Meeting social needs. The principal concern to this paper is “Transformation of state machinery” which refers to the aim to change “the doctrines, the composition and the management style of the civil service, judiciary, army, police and intelligence structures.”¹⁷

A brief essay by Peter Hudson is another relevant background piece.¹⁸ Hudson presents philosophical arguments in order to determine which political philosophy forms the foundation of the transformation programme. Contrasting views of liberty, equality and conceptions of ‘the good life’ are examined. What can be established from this is that these conceptions are inherent in the debates and processes of the transformation project and that consensus has yet to be reached on these matters.

2.2.3 Constitutional Imperatives

Literature on the Constitutional imperatives of transformation can be found in legal debates and circles. This is not surprising as the Constitution is the confluence of the legal, philosophical and political worlds. However, literature in this regard focuses on various cases brought before the Constitutional Court and

¹⁶ Ibid, pp 42

¹⁷ Ibid, pp 39 – 40

¹⁸ Peter Hudson, “Liberalism, Democracy and Transformation in South Africa” conference paper at *The TRC: Commissioning the Past*, University of the Witwatersrand, 11 – 14 June 1999

examines how the Court views issues of Rights and Transformation. Most often, the literature sees the Right of Equality as a driving force behind Transformation in South Africa.

Dennis Davis¹⁹ provides a brief overview of the Rights debate during the negotiation process as well as the philosophical and jurisprudential aspects that influenced the final Constitution of 1996. The author primarily focuses on how lawyers approach the new understanding of Rights and how they conduct business under the new dispensation. However, it is possible to discern some important Constitutional imperatives regarding equality. In one case in particular, *Fraser v Children's Court, Pretoria North*, Mahomed DP said "there can be no doubt that the guarantee of equality lies at the very heart of the Constitution. It permeates and defines the very ethos upon which the Constitution is premised."²⁰

The idea that equality is the driving force behind transformation and central to the constitution is developed by Denise Meyerson.²¹ It is interesting to note, for the purposes of this paper, that three of the seven equality cases before the Constitutional Court involved discrimination on grounds of sex or gender. More importantly, there is a general discussion on different Constitutional interpretations of equality and gender discrimination.

However important the right of equality may be, there is always going to be the problem of the enforceability of rights. This is the topic that Erika de Wet examines²² with a primarily legal approach to the enforcement of rights guaranteed by the Constitution, drawing on the German experience. Although the author does not deal with gender rights, an illustration is made of the pre-

¹⁹ *Democracy and Deliberation*, Juta: Western Cape, 1999

²⁰ *Ibid*, pp 71

²¹ "Equality and the South African Constitution" in *Between Unity and Diversity: Essays on National Building in Post-Apartheid South Africa*, Gitanjal Maharaj (ed), David Philip: Cape Town, 1999

²² *The Constitutional Enforceability of Economic and Social Rights*, Butterworth: Cape Town. 1996

eminence of the Constitution in driving the rights agenda. The assertion is made that the unenforceability of social rights should not be a reason to exclude such rights from the Constitution, especially when those rights can be qualified by the legislator.²³

How these rights came to be in the Constitution is not of principal importance, but is worth a brief discussion. In the article by Brigitte Mabandla, she deals with the process of the inclusion of the right of equality and its application to women.²⁴ This process was by no means simple as there was also a vocal conservative lobby, mostly drawn from traditional leaders and based on customary law, which sought “the constitutionalisation of women’s subordination.”²⁵ The example is given of CONTRALESA arguing against the application of the equality clause to women living under traditional rule.

From this literature it is possible to conclude, first, that the philosophical roots of this pervasive concept of transformation are a contentious subject. Second, the Constitution plays a central role in driving many aspects of transformation in South Africa. Although most of the literature examines how the Constitutional Court has applied the right of equality to cases brought before it, the point is made of the centrality of equality to the Constitution. In addition, the application of equality to gender rights was by no means an uncontested inclusion.

²³ Ibid, pp 94 – 95

²⁴ “Women in South Africa and the Constitution-Making Process” in *Women’s Rights, Human Rights: International Feminist Perspectives*, Julie Peters and Andrea Wolper (eds), Routledge: New York, 1995. This literature forms part of feminist literature on women’s and human rights. Mabandla discusses how Black women in South Africa feel oppression as an intersection of race, class and gender. As such, Black women in both rural and urban areas occupy the lowest social orders.

²⁵ Ibid, pp 69

2.2.4 Party Political Views

There are two important reasons why this section is fairly heavily weighted in favour of ANC and Tripartite Alliance literature. First, more so than any other party, the ANC has produced a vast array of literature on the topic of transformation. Second, as the governing party, it is in a unique position of being able to implement on a national scale any policies that are developed. As such, this section will elaborate on the various policy papers developed by the ANC on the topic of Transformation and introduce a few critical pieces within the Tripartite Alliance.

Drawing on literature from the *Umrabulo* Journals of the African National Congress (ANC), such as "Draft Strategy and Tactics of the African National Congress" July 1997 No 4, and "The State, Property Relations and Social Transformation: A Discussion Paper towards the Alliance Summit" No 5 1998, it is possible to discern a number of important government reasons for transformation, core principles and agendas.

Transformation here is framed as a pinnacle movement in the overthrow and undoing of a long process of colonialism and Apartheid. Following the first democratic elections in April 1994, the declaration was made that a:

...qualitative element of the National Democratic Revolution (NDR) had been accomplished....We use the words "element of the NDR" guardedly, precisely because the balance of forces that we referred to earlier dictated that the path to full transfer of power, let alone the strategic objective of a united, non-racial, non-sexist and democratic society, would be protracted and tortuous.²⁶

This is to say that a democratically elected government by the majority of the people was only the first, although a fundamental, step towards the undoing

²⁶ Author Unknown, "Draft Strategy and Tactics of the African National Congress" in *Umrabulo*, July 1997 No 4, www.anc.org.za/ancdocs/discussion/strat97.html, date accessed: 20 April 2005

of three and a half centuries of colonial oppression. Thus, once in power “the democratic movement took formal control of the state machinery, with the possibility of starting, in earnest, to transform it to serve the new order.”²⁷ The goal of the National Democratic Revolution is the creation of a united, non-racial, non-sexist and democratic society.

However, there were a number of constraints placed on this new government in terms of the goals and agendas it could possibly pursue: First, because of the failure of the National Liberation Movement to win an outright victory compromises had to be made, due to the nature of negotiations. Chief among these were the Government of National Unity and the Sunset Clause, which stipulate that members of the public service – including the judiciary, parastatals, and the security forces – would not be forced out of their jobs.

Second, the new government had taken over the apartheid machinery, which was “intact, orderly within its own rules, and with the majority resolved to continue in their positions.”²⁸ Thus, although the constitution had given the state the capacity to transform the public service, this would prove to be a long and over-drawn process.

Third, those seeking to pursue a level of transformation encountered numerous “public servants, especially at senior level, the captains of industry, and editorial rooms in most of the media” who “shared the perspectives of the former government or its white opposition....”²⁹ These individuals were (and to a degree, still are) able to influence the agenda of transformation for their own benefit. The final constraint was that there were perceived “networks used by the regime, especially in its ‘dirty war’ both within and outside South Africa remained

²⁷ Ibid

²⁸ Ibid

²⁹ Ibid

intact, either burrowed within the state machinery, or concealed in front companies and other private enterprises.”³⁰

These constraints aside, the desired ends of overcoming “the legacy of a social system that was based on the oppression of the black majority” requires political freedom twinned with social justice. Without social justice, freedom will remain “hollow”.³¹

The full extent of the transformation project is indicated by the number of state institutions to be transformed, “extending the power of the NLM over all levers of power: the army, the police, the bureaucracy, intelligence structures, the judiciary, parastatals, and agencies such as regulatory bodies, the public broadcaster, the central bank and so on.”³²

Similar notions of the pursuit of the NDR can be found in a great deal of ANC literature. Most important amongst these were the resolutions reached at the ANC’s 50th Conference held in Mafikeng from 16-20 December 1997. One of these resolutions states that the “fundamental transformation of the state [should] be considered a priority objective of the NDR.”³³ Other pertinent resolutions reached on transformation are:³⁴

- That transformation should be carried through with minimum interruption of our ability to continue to administer to the needs of all our citizens;
- *The state should make institutional interventions that bring about development and structural transformation in society;*

³⁰ Ibid

³¹ Ibid

³² Author Unknown, “The State, Property Relations and Social Transformation: A Discussion Paper towards the Alliance Summit” in *Umrabulo No 5*, 1998, <http://www.anc.org.za/ancdocs/pubs/umrabulo/umrabulo5.html> date accessed: 20 April 2005

³³ Author Unknown, *50th National Conference Resolutions*, “Role of State and Governance”. September 1999, <http://www.anc.org.za/ancdocs/history/conf/conference50/resolutions1.html> date accessed: 21 June 2005,

³⁴ Ibid, [emphasis added]

- A detailed, coordinated programme that implements this vision be led by the political structures of the ANC;

- The NEC [National Executive Council] begins a review of the state and all institutions of governance that considers:

1. the extent to which they serve our strategic objectives;
2. the degree of overlap and duplication;
3. and designs new appropriate institutions that will ensure that the relevant functions of government are managed at the most effective level within one system of cooperative governance and administration;

- The NEC sets in motion a process that determines the appropriate standards, best practice models, regulations, departments and staffing to carry out the functions of the state in the national democratic revolution.

A press release issued by the ANC prior to the 1999 National and Provincial elections provides a concise illustration of the ANC's views on transformation:

The African National Congress is firmly of the view that, as with all state organs, those independent institutions tasked with the protection of democracy and clean government must be transformed if they are to be able to effectively fulfil their responsibility to society. Without being representative of South African society in their composition, and without mechanisms in place for them themselves to be held accountable to the people, the capacity of these institutions to serve the interests of democracy will be severely limited....The ANC is ... approaching the 1999 elections with the primary aim of attaining an overwhelming mandate from the people to continue with the process of reconstruction and development in South Africa. In doing so, the ANC will continue to pursue, with all the means at its disposal, the fundamental transformation of all institutions of state.³⁵

It is clear that the ANC sees the state as a primary tool in the transformation of South Africa – turning it from an apartheid, minority-based state into a democratic equality-based state.

³⁵ "ANC on Transformation of State Institutions" Issued by: Kgalema Motlanthe, Secretary General African National Congress. 3 May 1998

This transformation project is not without internal dissension. The SACP for one, has raised a number of objections to and criticisms of the ANC's handling of transformation. Blade Nzimande and Jeremy Cronin, in "We Need Transformation not a Balancing Act – looking critically at the ANC Discussion Document"³⁶, argue that the ANC's documents on transformation do not go far enough in dealing with necessary issues at hand. Most of the criticisms raised concern issues relating to class, labour and other macroeconomic matters. Additionally, the ANC-led state does not include other elements of the mass democratic movement.

In a related vein, Zwelinzima Vavi, COSATU General Secretary, in an address to the COSATU Conference celebrating ten years of democracy and freedom, 5 March 2005, provides an overview of the role of labour in the liberation struggle as well as in post-Apartheid transformation. Furthermore, the assertion is made that "COSATU has consistently attempted to dynamise [sic] the Alliance as a vehicle of transformation...."³⁷ From these statements and documents, the conclusion can be drawn that although all members of the Tripartite Alliance play instrumental roles in the process of Transformation, it is primarily an ANC-led project.

Overall then, the core motivations of transformation can be discerned. *Transformation*, as a broad political project, is primarily an attempt to address and rectify the injustices of the past in both the state and society, with the stated aim of bringing a wider notion of democracy to the nation.

³⁶ *African Communist* No.146, First Quarter 1997

³⁷ Zwelinzima Vavi, "Labour, socio-economic transformation and the state – reflections on South Africa's ten years of democracy", address at COSATU conference 5 March 2005. pp 5
<http://www.cosatu.org.za/docs/2005/zv.pdf>, date accessed: 3 October 2005

2.2.5 Policy Imperatives and Background

How do departments view transformation and how do they envisage bringing such transformation to fruition? Although the departments mentioned are somewhat varied, those represented are the most debated, concise or significant cases available.

An earlier work outlines many different policies that government departments could, and in some cases should, undertake in the interests of transformation. The editors of *Policies for Public Service Transformation*, Fanie Cloete and Job Mokgoro,³⁸ outline the importance of the public service to the success of the overall political and social transformation of South Africa. Various topics are considered, and existing, as well as potential problems, are raised with possible solutions. Public Service literature is one of the few areas where policy imperatives are discussed outside of governmental circles.

*Transformation in South Africa? Policy Debates in 1990s*³⁹ is another example of literature concerned with state institutions and public policy. The focus of the debate is on the terms of post-apartheid economic policy-making, agrarian reform, institutional reform, and the involvement of civil society in the development process. In the introduction the editors state their case for the need for transformation, which is similar to that espoused by the government: "... Unless the inherited apartheid institutions are substantially reformed it will be difficult, if not impossible, to transform fundamentally the structural imbalances created by apartheid."⁴⁰

All the government departments have developed different policies for transformation, highlighting each department's individual challenges and

³⁸ *Policies For Public Service Transformation*, Fanie Cloete & Job Mokgoro (eds), Juta: Cape Town, 1995.

³⁹ Dr Ernest Maganya and Rachel Houghton (eds), Johannesburg: Institute for African Alternatives (1996).

⁴⁰ Ibid, pp xii

problems. From the Department of Provincial and Local Government (DPLG) to Foreign Affairs, every department has, to a greater or lesser extent, tailor-made specific policies for transformation. This section will briefly introduce a few policies from different departments in order to generate a functional understanding of what transformation means to government departments. Notably, the Department of Defence has been left out of this section as its transformation documents will be assessed in greater detail in subsequent chapters.

The DPLG has established a "Transformation Unit" along the guidelines outlined in the White Paper on the Transformation of the Public Service. Within this unit are specific subcommittees, include the gender and disability committee, and the HIV/Aids project team.⁴¹ Significantly, the DPLG states explicitly that the agenda of the department is centred on the transformation priorities outlined not only in the White Paper on the Transformation of the Public Service, but also the government's *Batho Pele* (People First) campaign and the Constitution.⁴²

The Department of Justice has a very specific transformation policy, which has recently become highly controversial. One of the less controversial aspects of the department's transformation policy is that of gender. In its Gender Policy Statement⁴³, the Department of Justice presents an outline of the guiding principles of its policy. In addition, greater detail is given to the implementation of the policy, including critical areas of concern, crucial issues, and structural and personnel changes that will need to be made.

⁴¹ Department of Provincial and Local Government, "Major Policy Instruments", <http://www.dplg.gov.za/documents/publications/dptcdannualreport/dptcdannualreport98section2.htm>, 1998, date accessed: 30 November 2005

⁴² Ibid

⁴³ Department of Justice "Gender Policy Statement – Balancing the Scales of Justice Through Gender Equality" 2nd Edition, May 1999, <http://www.doj.gov.za/2004doisite/policy/gender/genderpolicy.htm>, date accessed: 30 November 2005

Another example of state transformation is the South African Revenue Service (SARS), which instituted its own transformation programme, *Siyakha*, in 2000 after a lengthy internal survey of the organisation.⁴⁴ Highlights are the restructuring of the organisation in order to suitably fulfil its mandate and become more efficient, and the changing of demographics at all levels. In addition, greater changes are forecasted for the near-future.

Similar documents can be found in all government departments and state organisations. Similar aims and process are also advanced. However, not all provide functional definitions of transformation, but rather implications of changes in structure and representivity. Furthermore, few conduct reliable internal assessments of their transformation agendas. External assessments of transformation are equally scarce. Emerging from this literature is a clearer understanding of the project of transformation. There are two apparent goals being pursued in these government departments: changes in the personnel and demographics; and changes in the governance and behaviour in all areas of the state.

2.2.6 Policy Impact Material

Assessments of enacted policies are, once again, fairly case-specific, which understandably is necessary. The literature typically examines what the stated aims of the particular transformation agenda are and then compares these goals with established data. There are seldom internal departmental assessments.

Some of the better assessments that have been carried out include the Economic Transformation Audit, which forms part of the Institute for Justice and Reconciliation, and the National Commission on Higher Education (NCHE). The Transformation Audit has a well developed definition of a “transformed economy”

⁴⁴ South African Revenue Service, “Transformation of SARS”, 2005, date accessed: 28 November 2005 <http://www.sars.gov.za/Annual%20Report%202005/>

with six broad goals, each with different aspects and measurable indicators.⁴⁵ This is an ongoing project, providing detailed research on various government departments and economic actors. The well-derived concepts construct accessible measures of transformation, although this is strictly in an economic sense.

Similarly, the NCHE in “An Overview of a New Policy Framework for Higher Education Transformation” first defines what a transformed system would be able to do, and then sets further measures and frameworks for achieving these goals.⁴⁶ Assessments are then conducted on how well the Commission has progressed in accomplishing these goals and targets.

Siswe Sidloyi in “Public Service Reform: A Statistical Analysis of Restructuring of the Public Service” examines the restructuring of various elements of the public service. Elements such as the gender and racial figures across the board are taken into consideration. The chapter also assesses the rationalisation process and the progress towards representation in the public service.⁴⁷

Taking a very different route, COSATU provides an analysis of its own interaction with the policy and legislative processes during the period 1994 – 1999.⁴⁸ In addition, assessments are also made of various government departments and other areas of the state, most notably the economic sector and the labour market. Once again, notice is made of the coalescing of factors that

⁴⁵ Economic Transformation Audit, “TA Concept – Transformation Audit”, 2004, date accessed : 6 July 2005, <http://www.transformationaudit.co.za/taconcept/taconcept>

⁴⁶ 22 August 1996, date accessed: 21 June 2005
<http://www.polity.org.za/html/govdocs/policy/educ.html>

⁴⁷ In *Transformation in South Africa? Policy Debates in 1990s*, Dr Ernest Maganya and Rachel Houghton (eds), op cit pp 138 – 155

⁴⁸ *Accelerating Transformation: First Term Report of the COSATU Parliamentary Office*, Neil Coleman (ed), August 2000

negatively impact upon the quality of life for women in South Africa – those being race, class and gender.⁴⁹

One area where a great deal of literature exists is the specific topic of transformation of the Police. Many of the same problems and issues face the SANDF in its transformation project and thus the transformation of the Police is a good case study of a related field.

Melanie Lue presents an early survey of the problems facing the South African Police Service (SAPS).⁵⁰ Transforming one of the actors at the forefront of Apartheid was said to be an “almost impossible task”. However, the situation was made easier by a comprehensive definition of transformation.⁵¹ Some of these goals were given greater scope by the then Minister of Safety and Security, the late Mr Steve Tshwete.⁵²

A more detailed survey of the transformation of the SAPS⁵³ sees the authors chart the rise of problems facing the SAPS after the end of Apartheid and specific policies instituted to respond to the situation. More importantly, they “trace the trajectory of reform and the reasons for the departure from what was intended; and suggest lessons that might be drawn for redirecting the reform

⁴⁹ Ibid, pp 165

⁵⁰ Melanie Lue, “No easy route from SAP to SAPS” in *SASH*, Vol. 37, No.3, 1995, date accessed: 5 December 2005, <http://www.csvr.org.za/articles/artlue2.htm>

⁵¹ For the SAPS Transformation was:

... the overall process of change, and includes rationalisation and amalgamation. It further includes the transformation of policing styles, approaches, priorities, policies, cultures and attitudes whereby the South African Police Service (SAPS) becomes a community service-orientated police service aligned with values and principles such as transparency, accountability, impartiality and professionalism. It thus entails not only the transformation of the nature of the organisation, but of the very essence of policing.

⁵² See “Briefing by the Minister of Safety and Security, Mr Steve Tshwete, on behalf of the Crime Prevention and Integrated Justice Sector, Parliamentary Media Briefing Week, 7 February 2000” *Parliamentary Monitoring Group*, <http://www.pmg.org.za/briefings/000207safetysecurity.htm>, date accessed: 30 November 2005

⁵³ Mark Shaw, Clifford Shearing, “Reshaping Security: An Examination of the Governance of Security in South Africa” in *African Security Review* Vol 7, No. 3, 1998, date accessed: 28 November 2005, <http://www.iss.co.za/pubs/ASR/7No3/ShawAndShearing.html>

process.”⁵⁴ An assessment of the transformation is also conducted by, first, looking at how the goals were shifted, and second, comparing these stated goals to the authors’ research and public perceptions.⁵⁵

For a case-specific example of transformation of the SAPS, Gareth Newham appraises the transformation of the Internal Disciplinary System of the SAPS.⁵⁶ Once again, key issues of both behaviour/governance and personnel/demographics are raised with recommendations made as how best to resolve such problems.

Literature in this area all tends to follow a similar framework. First, a reliable and comprehensive definition of transformation is established. Next, a series of problems and relevant issues is raised and policies introduced to ameliorate these problems. Finally, an assessment is made of the effectiveness of these policies vis-à-vis some established paradigm, data, or survey.

Most of this set of literature tends to generate fairly positive views on the progression of transformation. There are some continuing problems present with the implementation of the policies or the attainment of specific goals, yet generally the outlook tends towards the optimistic.

2.2.7 Critical Literature

Literature examined in this section is somewhat different from policy impact material. This is because it deals primarily with external actors’ experiences or assessments of transformation in particular areas, which are then related to the broader agenda. It provides far more negative interpretations of transformation

⁵⁴ Ibid

⁵⁵ Ibid

⁵⁶ Gareth Newham, “Transformation and the Internal Disciplinary System of the South African Police Service” *Centre for the Study of Violence and Reconciliation*, November 2000, date accessed: 30 November 2005, <http://www.csvr.org.za/papers/papnwhm6.htm>

and is necessarily interested in augmenting existing policies, rather than highlighting present deficiencies.

On the whole, critical debate is severely lacking in this area. Any critical literature that is available is found in case-specific instances which describe the process as one which was by no means simple, and was fraught with frequent trials and few triumphs. Denis Beckett and Helena Dolny illustrate their experiences of the transformation project in parastatals and government institutions. Beckett undertakes a study of the transformation of South African Airways⁵⁷, and Dolny relates her uneasy experiences working with the Land Bank.

These two fairly recent books are part of the few sources which take a more critical examination of this ambitious project. Indeed it is somewhat worrying that so little debate exists on such an important topic in contemporary South African politics.

Dolny, in particular, sees the liberation struggle as being driven by the twin objectives of “the unacceptability of the unequal wealth distribution and the inhumane denial of franchise for all races.”⁵⁸ In the desire and pursuit of the peaceful attainment of the franchise, the ability to attain the former was, arguably, offset to a large degree. Critical to this, in terms of the land issue, was that property rights would be respected.⁵⁹ This is indeed the crux of the transformation project – the peaceful resolution of the struggle meant that the new government would have to consider and placate individuals and institutions that would previously have been steamrolled.

It is important to note that transformation is a much deeper and broader project than the mere representation of state institutions, as Beckett

⁵⁷ Beckett, D. 2001 *Jetlag: SA Airways in the Andrews Era*, Sandton: Penguin

⁵⁸ Dolny, H. 2001 *Banking On Change*, Johannesburg: Penguin. Pp 48

⁵⁹ Ibid, pp 49

demonstrates. The hiring of a white, male American can hardly be seen as an exercise in representation, but rather an attempt to overhaul a bulky, leaky state company.

In an edited volume, by Armin Osmanovic,⁶⁰ various authors discuss the concept of transformation and characterise it as *soft transformation*. Primarily, this is because to some extent, it placated the conflict between the white minority and the African majority, but has been ineffective in resolving unemployment and social inequality.⁶¹ Some alternatives to this concept of transformation are also proposed.

A final example of critical literature is an assessment of the transformation of municipal service delivery policies in comparison with those under apartheid.⁶² A brief historical context is also provided with a reminder of the original infrastructure policy directives in the *Reconstruction and Development Programme*. The paper concludes that the policies need to be drastically transformed for them to provide effective service delivery.⁶³

By separating critical literature from the policy impact material, it is possible to determine that there have been some considerable flaws in the transformation agenda. These include the goal of reversing social inequality taking second place to the goal of mitigating potential racial conflicts.

⁶⁰ *Transforming South Africa*, Institute for African Affairs: Hamburg, 2002

⁶¹ In particular see following chapters: Mfaniseni Fana Sihlongonyane, "Urban Planning in the Post-Apartheid South Africa: Reconstruction and Transformation"; Patrick Bond and George Dor "The Residual Dominance of Neoliberalism in Africa"; Armin Osmanovic "The Retreat of Capitalism in South Africa"

⁶² Patrick Bond, George Dor, Greg Ruiters *Transformation in Infrastructure Policy From Apartheid To Democracy*, [No place of publication, no publisher, printed from internet: http://216.239.35.100/search?q=cache:SGT6fXVTbfsC:qsilver.queensu.ca/~mbspadmin/pages/Project_Publications/Papers/Transfor.pdf+municipal+bureaucrats+&hl=en date printed: 22 May 2002]

⁶³ Ibid

2.2.8 Conclusion

It is difficult to discern precisely what is meant by transformation. This is because the ANC, Government, and the Constitution have not stated clearly what is meant by the term. Thus, the term is fluid in the political environment; meaning different things in varying contexts. A considerable gap in the literature is present in the use of the term; "transformation" is often used to describe desired ends, preferred means, and sometimes, the simultaneous pursuit of both.

Certain issues can be discovered. One is that the pervasiveness of the term is one of its most discernable characteristics. Somewhat less apparent is the lack of consensus regarding its philosophical roots. Driving many aspects of transformation is the Constitution and the Constitutional Court and in particular, the right to equality.

The ANC has been the most productive in terms of literature on the matter. Criticism felt within the Tripartite Alliance relate more to the implementation of transformation than to the intentions or philosophical roots.

Assessments are generally positive, although a number of important problems have been raised. Most notable is that the goal of overcoming social inequality has been compromised by the placation of racial conflict and agreements made during the negotiations.

The core motivation of the wide-ranging transformation project is that it is primarily an attempt to address and rectify the injustices of the past in both the state and society, with the stated aim of bringing a wider notion of democracy and equality to the nation.

There are two apparent goals being pursued in the transformation project: changes in personnel and demographics; and changes in governance and

behaviour. In addition, transformation is a two-tiered project – it involves social change occurring concurrently with change in the state. This paper is concerned with the transformation of a state institution. It will not deal with what that institution is meant to transform. Such would be the case with the NCHE, which aims to transform itself in order to transform education more effectively in South Africa.

The simultaneous pursuit of ends and means, combined with its two-fold nature (changing an institution whilst changing society) engenders transformation with a multi-level quality. For this reason, transformation in South Africa can be defined as “meta-change”.

A provisional definition of transformation for this paper is: a fundamental and multi-level change in the composition, structure and institutional framework of a state institution. Thus, transformation is not just the changing of faces but a considerable change in the institution as a whole.

2.3 The Military in Transformation

2.3.1 Introduction

This section discusses the transition in South Africa and the problems and issues faced by the SANDF. Building on the theme from the previous section, this section charts the different themes and issues present in the literature on the military and the state in South Africa, and the meaning of transformation for the SANDF.

2.3.2 The Military in Transition

The quest for security and democracy become interlinked in societies undergoing transitions from either authoritarianism and/or violent conflict. Such is

the opinion of Robin Luckham, who examines different ways that states have made the transition from authoritarianism and violent conflict to democracy.⁶⁴ South Africa was, and to a certain degree still is, one such transitional democracy.

Security reform essentially began with the signing of the National Peace Accord in September 1991, where steps were taken to reform the Police and to institute some control over political demonstrations. However, the SADF and other military formations were left untouched. Gavin Cawthra argues that a potential reason for this exclusion was that the negotiating parties wanted to keep their security forces as a 'fallback' option in case the negotiations collapsed. Moreover, there was also, initially, widespread resistance to the idea of the SADF integrating with various liberation movements.⁶⁵

Robert Griffiths highlights five variables which were crucial to the transition process of the defence force in South Africa. They are:

1. The level and style of military professionalism derived from past patterns of civil-military relations;
2. The threat of the corporate interests of the armed forces;
3. The potential for violence;
4. Support for democratization in the military; and
5. The momentum toward reform.⁶⁶

Although Griffiths deals more with civil-military relations during the transition period, he makes the important point that "[civil]-military transition involves

⁶⁴ "Democratic Strategies for Security in Transition and Conflict" in *Governing Insecurity: Democratic Control of Military and Security Establishments in Transitional Democracies*, Gavin Cawthra and Robin Luckham (eds), London: Zed Books, 2003, pp 3 – 28. See also "Security Transformation in Post-Apartheid South Africa" in *Governing Insecurity*, op cit, pp 31 – 56

⁶⁵ "Security Transformation in Post-Apartheid South Africa" in *Governing Insecurity*, op cit, pp 31 – 56

⁶⁶ "South African civil-military relations in transition: Issues and Influences" in *Armed Forces & Society*, Spring 1995, Vol 21, No 3.

institutional change within the military, as well as a change in the relationship between the armed forces and society.”⁶⁷

Several recurring ideas are present especially that that transformation is multidimensional, as both James Winkates and David Chater illustrate. Winkates examines how South Africa has managed to reconstruct the defence force in terms of representation of racial diversity, offering equity as an employer and serving effectively as the defender of the state. The author also discusses the key issues of the integration of the different forces; rationalisation and ‘right-sizing’, as well as language policy, and part-time/reserve forces. He concludes by debating the extent to which transformation was successful, as the defence force continued as a conventional military, overshadowed by an experienced corps of Afrikaners.⁶⁸

Four major transformation ‘clusters’, within the management of any defence transformation project are identified by Chater.⁶⁹ These are:

1. Cultural transformation – leadership, value system, management and administration ethos of institutions and traditions that the institute is based on are transformed.
2. Human transformation – this is where the composition of the institution regarding racial, ethnic, regional and gender as well as human resources practices is transformed.
3. Political transformation – the conduct and character of the institution need to conform to the political features of the democracy within which it is located. This includes the principles of civil supremacy, mechanisms of oversight and control, accountability and transparency.

⁶⁷ Ibid

⁶⁸ “The Transformation of the South African National Defence Force: A Good Beginning” in *Armed Forces & Society* Vol 26, No 3, Spring 2000, pp 451 – 472

⁶⁹ “Preface to Defence Transformation: A short guide to the issues” in *Monograph* No 44, August 2000. These sentiments are also expressed by other authors, such as Cawthra in *Securing South Africa’s Democracy*, op cit, 1997.

4. Organisational transformation – this refers to such issues as the technocratic process being right-sized, management and organisation are cost-effective and able to provide services efficiently.

Furthermore, South Africa experienced five transformational processes simultaneously: integration; stabilisation of civil-military relations; formulation of defence policy as an open process; right-sizing and cost-effectiveness; and the creation of both a Ministry of Defence and integration of Defence Head Office.

Len le Roux argues that defence transformation in South Africa “should be viewed against the background of the political transformation that occurred in the country during the late 1980s and the first half of the 1990s.”⁷⁰ The degree of transformation includes:

- the integration of statutory and non-statutory forces into the new SANDF;
- institution of political oversight and democratic control over the military;
- the transformation of the essentials of defence policy and posture;
- the implementation of equal opportunity and affirmative action policies, for the ends of representation;
- new force design and structure;
- rationalisation and demobilisation; and
- a new management framework for the DoD.

Overall, le Roux is primarily concerned with the role of the SANDF in the Defence Review process and elaborates on the interaction between the military and Parliament Defence Committees. With regards to the SAN, le Roux identifies the primary concern of the SAN as being the sense that they had been neglected for years and was now facing ‘block obsolescence’. The SAN was therefore, perhaps more keen than most to undergo transformation.

⁷⁰ “The South African National Defence Force and its involvement in the Defence Review process” in *Ourselfs to Know: Civil-Military Relations and Defence Transformation in Southern Africa*, Rocky Williams, Gavin Cawthra and Diane Abrahams (eds), Pretoria: Institute for Security Studies. 2003, pp 153

The White Paper and the Defence Review process are acknowledged by Rocky Williams, in *Ourselves to Know*, as affecting the fundamental composition of the military. These were important because they “marked a decisive break with the manner in which South African defence policy had been traditionally managed.”⁷¹ The article discusses various options available to the SANDF in terms of restructuring and the implications for the roles, as well as for civil-military relations and democracy.

Many of these same issues and problems facing the SANDF are examined by Lindy Heinecken.⁷² Issues discussed are the changes in civil control over the armed forces, organisational and force restructuring, cultural transformation, including the integration process, representivity and gender issues and the need to bring defence policies and practices in line with the new Constitution. The controversial issues of equality before the law, labour rights for soldiers and HIV/AIDS are also raised. With great costs to morale and operational capacity the SANDF has transformed immensely over the period “into a Defence Force for the people, and not against them.”⁷³

An interesting argument is raised by Cynthia Enloe about who the object of transformation is in such a setting. Most often, when a military admits a previously excluded group, the institution is transformed and made more compatible with the prevailing democratic culture. Therefore, the group does not necessarily become militarised, rather the military becomes diversified and democratic.⁷⁴

Transformation for the military and the DoD has resulted in fundamental changes. Foremost has been the establishment of civilian control over the

⁷¹ “Defence in a democracy: The South African Defence Review and the redefinition of the parameters of the national defence debate” in *Ourselves to Know*, op cit, pp 205

⁷² Heinecken L, “South Africa’s Armed Forces in Transition: Adapting to the new Strategic and Political Environment”, in *Society in Transition*, Vol 36, No 1 2005: 74-97

⁷³ Ibid, pp 94

⁷⁴ Enloe C, *Maneuvers: The International Politics of Militarizing Women’s Lives*, University of California Press: Berkeley, 2000, pp 16

military, primarily through the Parliamentary Defence Committees,⁷⁵ but also through internal structures in the DoD. The culture of the organisation has also been addressed, along with the force design and structure. Personnel matters have also been raised; these include the integration of statutory and non-statutory forces, rationalisation, demobilisation and representivity. Transformation is once more seen as a twin project concerning the personnel and the behaviour of the organisation.

2.3.3 Conclusion

Although literature on these themes is prevalent in South Africa, very little of it is independent or peer-reviewed. Crucial data might not be hidden, but it is not necessarily readily available either. Many major democracy-related research institutions, such as IDASA, do not have on-going projects relating to the monitoring of the military.

The literature is able to show that transformation for the military has meant alterations in elemental ways. Evidently, then, transformation in the military is just as convoluted and multi-dimensional as it is in state and society. Not least of these alterations has been the establishment of civilian control. More broadly, however, transformation entails both a change in composition and institutional structure, if not behaviour. As the next section demonstrates, one of these essential areas relates to the gender composition and representation of the military.

⁷⁵ Both the Joint Standing Committee and the Portfolio Committee.

2.4 Gender and Transformation

2.4.1 Introduction

This section explores the current issues present in literature concerning women in the military, starting with a discussion of international literature. This is followed by literature dealing with the South African case in particular, with attention paid to the relevant issues facing women in the SANDF.

2.4.2 Women in the Military: The International Experience

US case studies are important, as the US has deployed far more women on a regular basis as a conventional army than anywhere else; 33 000 women served during the Gulf War. According to Jacklyn Cock this deployment raised a number of questions.⁷⁶ Specifically, do equal rights mean equal responsibility, including military service for women, and should such military service include combat roles? During the Gulf War, women were largely assigned to logistics, maintenance, intelligence, communications teams and medical units. Thus, there is an evident exclusion of women from combat operations, yet, due to new technology and a general change in the nature of warfare, it has become difficult to differentiate combat from non-combat operations. This policy of exclusion has been debated both between and within the genders.

In an informative article, Laura L Miller presents a study investigating public arguments of feminist groups who act as advocates for military women.⁷⁷ The study finds that there is a discrepancy between the public discourses of the feminist groups and of those used in the Army. This is primarily because of several shortcomings in the feminist arguments. First, the arguments are based

⁷⁶ "Feminism and Militarism: Some Questions Raised by the Gulf War" in *South African Defence Review*, No 6, 1992

⁷⁷ "Feminism and the Exclusion of Army Women from Combat" in *Gender Issues*, Summer 1998, vol 16, no 3

on individual rights, but they are dealing with an institution which routinely subsumes such rights for the greater good. Second, gender differences are treated as entirely social constructs, and in so doing they lack the tools to understand physical differences or challenge arguments based on those differences. Third, the feminist groups portray women soldiers as the hapless victims of sexual harassment whilst simultaneously portraying them as potentially fierce warriors in battle.

When it comes to understanding the role of women in militaries in different societies, there are a number of different factors to consider. Gerhard Kümmeel considers armed forces, politics, society, culture and the international environment as the most salient factors.⁷⁸ However, these factors do not account for the percentage of women recruited nor the roles available to them. Israel and China, as examples, are the best known states that conscript women; however, less than 10% of each age group are conscripted into China's People's Liberation Army.⁷⁹ In the Israeli Defence Force (IDF), all women in good health, aged between 18 and 26 are conscripted for 21 months, unless they are married or declare religious reasons or reasons of conscience not to serve. The principal role of women in the IDF is to increase the strength of the army by releasing men for combat duty; women are prohibited from serving in combat.⁸⁰

Amongst all the Western armed forces, some states allow women to participate in direct ground combat, but none allow for women in their special forces. This was illustrated by Gwyn Harries-Jenkins in an analysis of two cases brought before the European Court of Justice regarding women's roles in the military. The two cases are important as they have set precedence for women's

⁷⁸ "When Boy Meets Girls: The 'Feminization' of the Military" in *Current Sociology*, vol 50, no 5, 2002

⁷⁹ Uta Klein "The Gender Perspective of Civil-Military Relations in Israeli Society" in *Current Sociology*, vol 50, no 5, 2002

⁸⁰ Col C Zietsman, 1995. "Operating in a Man's World" in *Salut* October 1995, pp 26 – 29. Such a restriction places a cap on promotion levels as ranks above a certain level will necessitate combat experience. This issue is felt in most militaries which enlist women but prohibit combat duties.

roles. The first *Tanja Kriel versus Germany* meant that European Union law held sway over internal German policy and the German Bundeswehr had to open the military to women without restriction. Conversely, *Angela Maria Sirder versus The British Army Board* maintains that certain exclusionary practices could remain in place, especially with regards to special forces.⁸¹

An interesting vein of literature concerns the role of women in national liberation movements. In a number of studies of these movements, it was found that during periods of armed conflict, many such movements had considerable numbers of women serving in their ranks. Miranda Davies notes examples of women in combat in Apartheid South Africa and El Salvador in the 1970s, demonstrating that when women fight it is usually for more than one reason: "their own freedom as women and as half the oppressed population of the Third World."⁸²

However, when the movements came into power and took over the regular armed forces, policies regarding gender integration reverted back to the usual exclusionary modes. This appears to be the case across the board, including: Nicaragua, El Salvador, Cuba, Columbia, Oman, Vietnam, China, Zimbabwe, Mozambique and Namibia. Many authors have noted this, including, Davies⁸³, Teboho Maitse⁸⁴, and Patricia T Morris⁸⁵, amongst others.⁸⁶

⁸¹ "Women in Extended Roles in the Military: Legal Issues" in *Current Sociology*, vol 50, no 5, 2002

⁸² Davies, M, 1983. "Women in Struggle: An Overview" in *Third World Quarterly*, Vol 5, pp 875

⁸³ *ibid*, pp 874 - 880

⁸⁴ Maitse, T 2000. "Revealing Silence: Voice from South Africa" in *States of Conflict: Gender Violence and Resistance*, Jacobs, S, Jacobson, R and Marchbank, J (eds) Zed Books: New York, pp 199 – 214. See also Howell, J "Shifting Relationships and Competing Discourses in Post-Mao China: The All-China Women's Federation and People's Republic", pp 125 – 143 (same volume) and Kelly, L "Wars Against Women: Sexual Violence, Sexual Politics and the Militarised State" pp 45 – 65 (same volume).

⁸⁵ Morris, PT, 1993. "Women, Resistance, and the Use of Force in South Africa" in *Women and the Use of Military Force*, Howes, RH and Stevenson, MR (eds), Lynne Reiner: London. See also Steiz, B, Lobao, L, and Treadway, E, "No Going Back: Women's Participation in the Nicaraguan Revolution and in Postrevolutionary Movements" (same volume).

⁸⁶ See also: Chinchilla, NS "Revolutionary Popular Feminism in Nicaragua: Articulating Class, Gender and National Sovereignty" in *Gender and Society* Vol 4 No 3, September 1990, pp 370 –

Although a comparison between South Africa and other countries is not ideal, a brief overview of the international experience of women in navies is of some use. Comparisons with Canada are justifiable in the sense that it is one of the few states where no limitations have been placed on women serving in combat. Indeed Canada was the first state to allow women to serve in submarines. The figures for the Canadian Navy are: 1 377 women and 10 414 men, with a total female representation of 12.1%.⁸⁷

The most recent statistics for the representation of women in the Royal Navy of the United Kingdom show a similar trend.⁸⁸

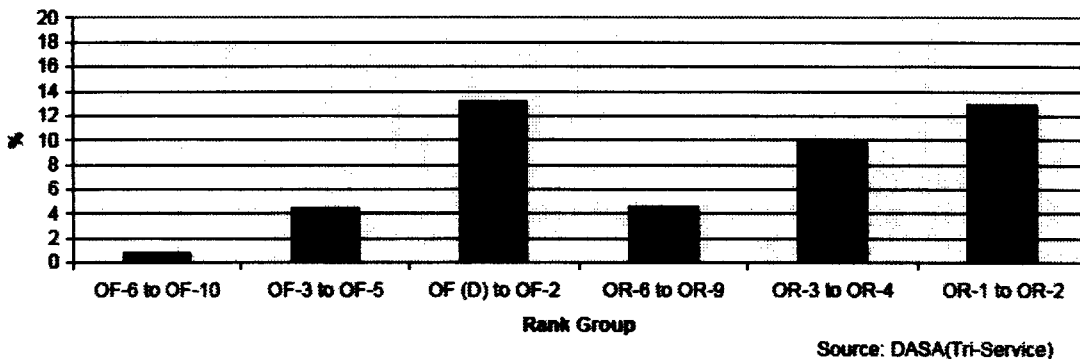


Figure 2.1 Royal Navy Gender Representation 2005

The RN has a relatively nominal representation of women. Low representation of women occurs throughout the NATO militaries, including

397; and Reif, LL "Women in Latin American Guerrilla Movements: A Comparative Perspective" in *Comparative Politics* Vol 18 No 2, January 1986, pp 147 – 169

⁸⁷ NATO "Canada – National Report on the Integration of Women" 2005, date accessed: 16/04/2006, date modified: 1/04/2005, http://www.nato.int/ims/2005/win/national_reports/canada.pdf

⁸⁸ UK Ministry of Defence "Rank Structure of the UK Regular Sources" 2006, date accessed: 14/04/2006, date modified: 1/01/2006, <http://www.dasa.mod.uk/natstats/tsp9/tsp9graph1.html> The rank codes of the Royal Navy are the same as the NATO codes, which can be found in the Appendix

beyond the navy. Overall female representation only exceeds 20% in the single case of Latvia.⁸⁹

The international experience of women fighting in armed forces is thus varied with few similarities. The US does not conscript women, yet more women have been deployed in armed conflict by the US than any other nation. In countries where women are conscripted, there is typically a different set of rules applied to women. Most Western militaries tend to limit the combat roles of women, whilst most liberation movements grant more active roles. These roles do not continue post-liberation, as the overwhelming number of cases suggest. Thus, the South African case is given further importance as a unique case in that the SANDF – viewed as a regular and a post-liberation armed force – is compelled to implement full gender equality.

2.4.3 Women in the Military: The South African Experience

Surveyed in this section is literature that examines the experiences, issues, policies, problems and sentiments regarding women in the SANDF. The works presented are from both insiders and outsiders to the experience of gender equity in the military and examine an array of issues.

Two military authors have been identified to demonstrate the experience of insiders. The first is Lt Col Ellen Molekane who explores the role of women in the SANDF in terms of four areas and their accompanying implications. The first is the environment and enabling qualities for women, which is essentially the legal and institutional framework. The second looks at the nature of defence forces in general and how there has been a dramatic change in the nature of combat towards the more technical aspects. In the third, the author examines policy formulation and how there has been a general reformation of policy regarding

⁸⁹ Office on Women in the NATO Forces "Percentage of Military Service Women in NATO Countries Armed Forces" 2005, date accessed: 16/04/2006, date modified: 6/01/2006, http://www.nato.int/issues/women_nato/perc_fem_soldiers_2001_2005.pdf

women and an increase in gender sensitivity in the SANDF. Lastly, opportunities in the SANDF and the equal opportunity forum are assessed. In this instance it is assumed that women have the same opportunities as men. It is interesting to note that sexual harassment, abuse of power, and victimisation, are regarded as offences and punishable under the Military Disciplinary Code.⁹⁰

The second author is Col N Motumi whose article studies Department of Defence policy in terms of gender equality in order to determine the extent to which the government's declarations have been honoured within the organisation.⁹¹ Similarly to Kümme, the author identifies a number of important factors which relate to the issue of women in the military. These are: decreasing birth rates in the developed world, increasing labour force participation rate among women; changing attitudes towards gender roles; and changes in technology.

Col Motumi introduces the principal issues of: military health benefits; maternity benefits; pensions; and military housing. Real and potential barriers to women's advancement are also discussed, including the effects of: patriarchal society; stereotyping; training; and 'mother-unfriendly' working environments.

Another South African academic writer on gender in the military is Lindy Heineken, who provides an outsider's experience. Challenges facing the SANDF are discussed, and an overview of the various feminist positions on women in the military is provided, which are then related to the current debates and policy decisions on gender equality in South Africa. The potential impact on military effectiveness by the increasing number of women is also discussed.⁹²

⁹⁰ "The Role of Women in the South African National Defence Force" in *African Security Review*, Vol 5, No 5, 1996

⁹¹ "Gender Equality: A Challenge for the Department of Defence" in *African Security Review*, Vol 8, No 3, 1998

⁹² "Affirming Gender Equality: The Challenges Facing the South African Armed Forces" in *Current Sociology*, vol 50, no 5, 2002

This impact on military effectiveness is further discussed elsewhere.⁹³ The SANDF had to transform to respond to new civilian values, creating the twin task of building and maintaining an effective military whilst being responsive to the demands of the wider society. In effect, the debate boils down to an issue of social equality versus combat effectiveness. The article seeks to determine the impact of the Constitution's equity clause on the DoD in terms of race, gender and sexual orientation. In terms of gender, three questions are raised. First, will combat readiness not be sacrificed in favour of an ill-conceived social experiment? Second, can women be a combat-effective component of the armed forces? Third, will the employment of women in combat roles not involve an unacceptable adjustment to the pressures from civilian society at the expense of operational effectiveness?

In assessing these questions, Heineken examines the past and present policies. The former policy of the SADF was to restrict women and give them limited roles. For the former liberation movements, it is worth noting that "there were virtually no African women in the senior ranks of either the non-statutory forces or the homeland forces which were integrated into the SANDF."⁹⁴ Thus there is little tradition of gender policies in South African armed forces. Furthermore, attitudes towards women in combat are also examined. Public attitudes remain divided with 46% of the general population supporting the idea of women volunteering for combat duty. In the military, 40% of officers support the idea of women being allowed to do combat duty on the frontline. The various arms of the military gave differing opinions on the matter – Naval officers were "markedly more supportive."⁹⁵

It is difficult to draw any conclusions about the effectiveness of women in combat. Primarily, this is because the evidence can only really be tested in

⁹³ "Social Equity versus Combat Effectiveness: An Institutional challenge for the Military" in *African Security Review*, vol 7, no 6, 1999

⁹⁴ Ibid

⁹⁵ Ibid

combat. To date, there is little evidence to suggest that women are not as effective as men. The only realistic argument is possible abuse by hostile captors. However, this is not only a frontline issue, and furthermore is not an issue of effectiveness, but rather compassion.

The South African experience of gender equity in the military is not without its hiccups and is far from easy or simple. Such is the subject of Charles Van Wijk's article on health care utilisation on board SAN vessels.⁹⁶ Evidence suggests that women even in civilian society "women tend to use health care more than men, even when reproductive services are controlled."⁹⁷ Seeking to explain this discrepancy on board naval vessels, the author argues that health is a social as well as biological phenomenon, and explores the issue from a social constructivist perspective. Various explanations are examined, broadly described as the Physical Environment; the Social Environment (naval ships are seen as "masculine space"⁹⁸) which includes sexual harassment, minority status, support and conditions of acceptance; and the Health Care Environment.

Although South Africa differs greatly from other states, there are still some negative attitudes towards women serving in the armed forces. Moreover, some concerns can only be tested in combat. Be that as it may, the available literature of both military personnel and academics shows that the full inclusion of women into the armed forces has created a number of issues requiring not only adjustments in representation and personnel, but also in the structure, organisation and governance of the military.

⁹⁶ Van Wijk C, "Never, Never Sick at Sea': South African Naval Vessels", in *Journal of Gender Studies*, Vol 14, No 3, 2005, pp 251-260

⁹⁷ Ibid, pp 252

⁹⁸ Ibid, pp 255

2.4.4 Conclusion

Gender transformation has been no less of a contested issue. Through a review of the literature, it appears that no two states have had the same experience of gender transformation. What is common in most of the cases is that if women are enlisted or participate in a regular armed force, combat roles are proscribed. Contrary to the trend, no such proscription exists in South Africa. However, such a policy has brought with it a whole range of debates and issues that have similarly faced other regular militaries and guerrilla or national liberation movements. Amongst these debates are important issues relating to operational effectiveness, the nature of conflict, and most importantly, the impact that an inclusive policy may have on the structure of a military.

2.5 Conclusion

After examining the available literature, a number of conclusions can be reached concerning transformation. 'Transformation' is a concept without an agreed upon definition and is thus highly context-based. As a concept, there is a resounding lack of consensus on its meaning, and as such, 'transformation' has become a very imprecise term. This lack of consensus may be due to the major gap in the literature on the topic, as there is no authoritative definition of transformation in South Africa, nor is there any consensus about common priorities and resources.

A second gap exists concerning the implementation and assessment of transformation by Government. It has been left to individual government departments to conduct their own assessments.

In the context of post-Apartheid South African political discourse, transformation means more than change and improvement. There are at least two concurrent levels of change in any transformation project: both the subject

and the instrument of change. This can then be called 'meta-change'. An effective definition of transformation is the movement from an exclusionary, unequal, race-based state to an open, equal, democratic one. This entails not only a change in the appearance of institutions, but also in their fundamental structures.

As one such institution of the state, the DoD and SANDF have had to change both their appearances and structures. Transformation here entails many distinct processes that can roughly be grouped under cultural; human; political; and organisational aspects. Parts of these processes were: the establishment of strong Civilian Control over the military; changing the organisational structure of the military; and human resource policies, of which gender is one issue.

For this paper then, Gender Transformation means: an increase in the number of women serving, without hindrance to roles, as well as the inclusion or creation of effective structures and institutions and management of relevant issues, that the full inclusion of women necessitates. The relevant practical issues that will be addressed in this paper are: Equal Opportunity and Affirmative Action, Pregnancy, and the Establishment and Maintenance of a Gender Neutral Environment and Rank Distribution.

Chapter 3 – Policies

3.1 Introduction

What are the bases of gender transformation policy? Four sources will be assessed: The Constitution; the White Paper on Defence; the Defence Review Process; and, what can be described as the Parliamentary Process - documents and minutes from the Joint Standing Committee on Defence, the Portfolio Committee on Defence, and Parliament's Hansards.

Three principal types of policies are examined: compulsory, advisory and debates. The Constitution is an essential compulsory policy in this regard. The White Paper and the Defence Review and continuation of the Constitutional provisions, however, are still primarily advisory policies. Parliament's role is also advisory, but this is mostly where the debates around the policies take place.

The structure of this chapter on policy is centred on ends and means. The ends of a particular policy will be outlined, followed by the steps taken to ensure their outcome.

3.2 The Constitution

3.2.1 Introduction

The final constitution of 1996 was a watershed moment in the history of South Africa. Of equal, or perhaps greater, importance was the Interim Constitution of 1993, because the final constitution could not reverse or contradict the interim constitution. These include the Constitutional Principles

found in Schedule 4, where the principles of gender equality and representative government are established.⁹⁹

One of the critical elements of the Interim Constitution's provisions was that a joint standing committee on defence should be established in Parliament. The committee would be comprised of all parties represented in the National Assembly with ten or more seats. It would be a joint committee in that it would consist of members from both the National Assembly and the National Council of Provinces (previously Senate). The committee would have the competence to investigate and make recommendations on the budget, functioning, organisation, armaments, policy, morale and state of preparedness of the SANDF, and to perform such other functions related to parliamentary supervision of the force as may be prescribed by law.¹⁰⁰

3.2.2 Constitutional Provisions

The Constitution declares under Chapter 2, "The Bill of Rights", some important provisions. The first of these is under section 9, sub-section 3:

The State may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, *gender, sex, pregnancy, marital status*, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.¹⁰¹

Thus for potential issues relating to women in any sphere of the state, including the military, no unfair discrimination may arise based on any of the grounds emphasised above. If any claims were to be made to make a distinction between the services of men and women, they would have to be deemed to be

⁹⁹ Republic of South Africa 1993, *Constitution of the Republic of South Africa*, Schedule 4, (I) (III) (VIII) and (XVII)

¹⁰⁰ Sections 228(3)(a) and (d), *ibid*

¹⁰¹ Republic of South Africa, *The Constitution of the Republic of South Africa Act 108 of 1996*. Emphasis added

'fair' discriminations. Such a task lies with the courts and their interpretation of the law.

As an indication of the importance of gender in the Constitution, a separate government agency was established to monitor all gender issues in the state. This is the Chapter 9 institution, the Commission for Gender Equality. As with other state institutions supporting constitutional democracy established under the constitution, the CGE is "independent, and subject only to the Constitution and the law, and [...] must be impartial and must exercise [its] powers and perform [its] functions without fear, favour or prejudice."¹⁰²

The functions of the CGE as laid out by the Constitution are as follows:¹⁰³

- (1) ... promote respect for gender equality and the protection, development and attainment of gender equality
- (2) ... has the power, as regulated by national legislation, necessary to perform its functions, including the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality
- (3) ... has the additional powers and functions prescribed by national legislation

The CGE operates as a watchdog institution to ensure that the state complies with the principles outlined in Chapter 2 regarding gender equality. The committee liaises with numerous civil society organisations, but works closely with the Joint Monitoring Committee on the Quality of Life and Status of Women and the Parliamentary Women's Group.¹⁰⁴ Although the commission has not conducted any extensive work with the armed forces, the constitutional requirement of its existence highlights the importance of gender equality to the Constitution.

¹⁰² Section 181, sub-section 2

¹⁰³ Section 187, sub-section 1 – 3

¹⁰⁴ "About CGE", *Commission on Gender Equality*, date accessed: 19 January 2006, no date of modification. <http://www.cge.org.za/userfiles/functions.html>

Chapter 10 relates to Public Administration, and its basic values and principles. One important stipulation is that public administration “must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.”¹⁰⁵ Moreover, such a principle applies to “administration in every sphere of government; organs of state; and public enterprises.”¹⁰⁶

Chapter 11, “Security Services”, concerns the establishment, structure and conduct of security services. The Constitution states that “security services must be structured and regulated by national legislation.”¹⁰⁷ In addition, the security services “must act, and must reach and require their members to act, in accordance with the Constitution and the law....”¹⁰⁸ In terms of oversight mechanisms, sub-section 8 of section 199 determines that multi-party parliamentary committees have oversight of all the security services.

These provisions mean that the DoD and the SANDF are highly regulated in their activities by the Constitution. They are bound by the Bill of Rights, of which the commitment to gender equality and representivity is a central part, just as much as other state institutions. Moreover, civilian oversight on this and other matters is vested in multi-party parliamentary committees. For the JSCD – as a constitutional mandated committee, rather than a nominal portfolio committee – to exercise oversight for all matters of defence transformation illustrates that such issues are not just an ANC concern, but are of national interest.¹⁰⁹

¹⁰⁵ Section 195, sub-section 1(i)

¹⁰⁶ Ibid, sub-section 2(a-c)

¹⁰⁷ Section 199, sub-section 4

¹⁰⁸ Section 199, sub-section 5

¹⁰⁹ Although there have been numerous gender equality cases brought before the Constitutional Court, none of these (as yet) have dealt with the military. Such cases would surely be interesting as, according to these provisions, the Constitutional Court would have the final oversight of gender transformation in the SANDF.

3.2.3 Conclusion

The Constitution provides for a wide range of rights of equality. Gender is only one such aspect, along with pregnancy and marital status. However, the importance of gender equality cannot be underestimated because of the constitutional requirement for the CGE.¹¹⁰ This commitment was established in the 1993 Interim Constitution, and as a principal agreement amongst the drafters, it is not a provision that can easily be dismissed. Similarly, all spheres of the state and government are bound to the principle of being representative of the South African people. Thus, they must all, in essence, transform.

3.3 The White Paper on Defence – *Defence in a Democracy*

3.3.1 Introduction

The White Paper on Defence¹¹¹ is a policy document for the DoD and SANDF with the aim of achieving the constitutional requirements outlined above. The White Paper was the result of a lengthy process of deliberation involving submissions from a variety of sources and it provides the structure for Defence policy in South Africa. It is an expansion and expression of the Constitutional Provisions as they apply to the military.

The more pertinent and immediate concerns of the White Paper are the two areas of Affirmative Action and Equal Opportunity. The role and authority of Parliament in matters relating to transformation will be established, essentially to demonstrate how and why the gender equality issue is driven by Parliament. Human resource issues will then be introduced, with the core concern being gender equality in the armed forces.

¹¹⁰ What ever the effectiveness of the CGE might be is largely irrelevant, suffice that gender equity is constitutional required in all elements of the state.

¹¹¹ Department of Defence, *White Paper on National Defence for the Republic of South Africa: Defence in a Democracy*, May 1996

3.3.2 Gender Composition Policy

The Constitution introduces the concept of gender equality in the South African state, but it is the White Paper which outlines the foundational principles of gender composition in the DoD and SANDF. There are two such foundational principles, which are introduced in Chapter 2. The first states: "The SANDF shall develop a non-racial, non-sexist and non-discriminatory institutional culture as required by the Constitution."¹¹² The second is more specific about the personnel of the armed forces: "The composition of the SANDF shall broadly reflect the composition of South Africa. To this end, affirmative action and equal opportunity programmes will be introduced."¹¹³ This section will detail the specific elements of the White Paper relating to gender policy.

The goal of the White Paper is to "establish a new institution which is professional, efficient, effective and broadly representative."¹¹⁴ Representativeness for the DoD refers "to the racial, and *gender composition* of the SANDF and to the fair integration and equitable representation of the constituent integrating forces at all ranks."¹¹⁵ The importance of this goal for the SANDF is quite clear, as it would "critically undermine the legitimacy of the SANDF."¹¹⁶

One such method is the requirement of special education and training programmes relating to equal opportunity and affirmative action. Aside from standardising procedures following the integration of the different forces, education and training programmes are required for effective equal opportunity programmes to upgrade the skills of women soldiers.¹¹⁷

¹¹² Chapter 2, Section 2, paragraph 11, pp 14

¹¹³ Ibid, paragraph 11, pp 15

¹¹⁴ Chapter 6, Section 1, paragraph 5, pp 26

¹¹⁵ Ibid, emphasis added

¹¹⁶ Ibid

¹¹⁷ Chapter 3, Section 6, paragraph 33, pp 13

In pursuit of the representivity goal a number of provisions have been made in the White Paper. Acknowledgement is made of the drastic change in the composition of the armed forces, but it also noted that the armed forces do not adequately reflect the composition of South Africa.¹¹⁸ For the legitimacy of the SANDF to be secured in this environment, the legacy of racial as well as gender discrimination must be overcome.¹¹⁹ As a result, the White Paper makes the following fundamental assertion: "The DoD acknowledges the right of women to serve in all ranks and positions, including combat roles."¹²⁰

It is this categorical and unequivocal assertion which compels gender transformation onto the agenda of the DoD, the SANDF and Parliament. Moreover, such a position sets South Africa apart from most other armed forces, as was illustrated in the previous chapter.

In keeping with the acknowledgement of this important right, the White Paper then sets forth that the Minister of Defence "will oversee the design and implementation of an affirmative action and equal opportunity programme. To this end, the Minister will establish a joint work group on affirmative action and equal opportunity within the DOD."¹²¹

This programme is then discussed in more detailed. The goal of the programme entails the identification and elimination of discriminatory practices and attitudes. This will have to be done, not only for constitutional reasons, but also as a matter of combat-readiness, because critical functions of the SANDF will not perform "effectively if capable people are excluded from senior posts because of prejudice, or if these tendencies undermine cohesion and morale."¹²²

¹¹⁸ Chapter 6, Section 5, paragraph 35

¹¹⁹ Ibid, paragraph 36

¹²⁰ Ibid, paragraph 37

¹²¹ Ibid, paragraph 38, pp 28 – 29

¹²² Ibid, paragraph 40

The means of achieving this are the education, training and development of women in the services. To assist in this matter, strategies will be developed regarding "career development plans, and the reorientation of recruitment and promotion systems."¹²³

Part of the programme will require oversight of the programme and will be conducted by Parliament with the Minister presenting to Parliament "detailed plans on the equal opportunity and affirmative action programme...." Additionally, the Minister must "report annually to Parliament on the progress made in implementing the programme."¹²⁴

The gender composition of the SANDF has become a fundamental area of concern for the DoD, as the White Paper clearly illustrates. A foundational goal for the transformation of the DoD is for the composition of the SANDF to be a fair reflection of the racial and gender composition of South Africa. Indeed, the contention is made that to some degree the legitimacy of the SANDF hinges on this matter. To this end a number of obligations are advanced. These include: the implementation of specific education and training programmes; an acknowledgement of the right of women to serve in all ranks and in combat; and a programme of equal opportunity.

3.3.3 Conclusion

The White Paper on Defence is a central document in the policy formulation of the DoD in a number of initial areas and provides a framework for the subsequent Defence Review (which will deal with some of the issues raised in this section in more detail). Of primary interest is the policy of the gender composition of the SANDF, as it forms part of the broader goal of representation. The White Paper illustrates the degree to which the DoD and SANDF are

¹²³ Ibid, paragraph 39, pp 29

¹²⁴ Ibid, paragraph 43

concerned about gender equality. In recognition of the right of women to serve in all ranks and in combat, the White Paper then calls for a large scale programme of equal opportunity, which requires regular submissions to Parliament. The more precise policy details of the Defence Review will now be discussed.

3.4 The Defence Review

3.4.1 Introduction

The aim of the Defence Review is to elaborate on “comprehensive long-range planning on such matters as posture, doctrine, force design, force levels, logistic support, armaments, equipment, human resources and funding.”¹²⁵ It is an advisory policy document and not binding. It was primarily an interactive process with Parliament, which reached a number of important policy options.

The Defence Review deals with a range of issues tackling the transformation of the DoD. One of these broad policies relates to Normative and Cultural Transformation of the DoD. This Section will detail the policies of the Defence Review in light of the imperatives inherited from the Constitution and White Paper on Defence. For the Defence Review, Normative and Cultural Transformation “refers to the transformation of the culture of the DoD in relation to its values, traditions, human resource practices and managerial practices.”¹²⁶ “Cultural transformation” for the Defence Review refers to a broader “range of activities reflected in a diversity of policy and programmes within the DoD”.¹²⁷

In pursuance of normative and cultural transformation, the following assertions have been made¹²⁸:

¹²⁵ Department of Defence, *South African Defence Review* 1998, Chapter 1, paragraph 6, pp 1

¹²⁶ Ibid, Chapter 9, paragraph 2.2, pp 47

¹²⁷ Ibid

¹²⁸ Ibid, paragraph 2.2.1 – 2.2.2, pp 47 – 48

2.2.1 The institution of equal opportunity and affirmative action programmes within the DoD. This will ensure that the DoD will be broadly representative of South Africa's demographic composition. These programmes are reflected in the Human Resources and Part Time Component chapters in this Defence Review.

2.2.2 The transformation of the traditions of both the full-time and part-time components of the DoD. This will ensure that the emerging South African military culture will be reflective of the diverse military traditions within South African society.

These policies are then given greater detail in Chapter 10, "Human Resources". The basic policy framework of the DoD's aim "to be broadly representative of the human resources available in South Africa"¹²⁹ has already been established. Under Chapter 10, two detailed policies emerge relating to gender: Composition and Management of Diversity.

3.4.2 Composition Policies

Policies of gender composition are those which concern increasing and maintaining the number of women serving in the SANDF. Three specific policies can be identified. The first repeals restrictions on areas available for women to serve. The second describes how to improve the number of women serving in higher positions. The third identifies potential and existing problems women encounter as serving members of the SANDF.

Noting that in the former SADF women were not eligible to serve in all musterings or corps, the Defence Review pronounces that the restriction has been removed and that women can and may serve in all posts in the SANDF. Specific attention is paid to the "elimination of backlogs in the training of women especially for command positions in combat related musterings...."¹³⁰

¹²⁹ Ibid, Chapter 10, paragraph 2, pp 67

¹³⁰ Ibid, paragraph 58, pp 78

Another area of concern is training facilities for women. Expected decreases in the number of senior women can be compensated for by the increase and improvement of training facilities to increase the number of recruits, particularly at the lowest levels. Therefore, the goal of increasing senior women is attained by increasing the pool of recruits and improving their training.¹³¹

The DoD further notes some specific problems that are related to the retaining of women. Three such problems are first, day-care for young children and second, disruptions to families if both parents are serving members who may be required to attend long training courses or be deployed away from home. Third is the problem of parents with full home care responsibilities that require study material to be supplied in advance of courses.¹³²

3.4.3 Managing Diversity

In order to fulfil the directive of a reflective gender composition, it is not enough to simply increase the number of women serving in the armed forces, but also to institute ways of dealing with any "unfair discriminatory practices or attitudes, past and present, involving women employed in the DoD"¹³³. In seeking to identify and deal with gender discrimination as a high priority, the Defence Review calls for specific policies.

One such policy is the implementation of a "work group on civic education". This has produced six educational modules for implementation at all levels in the DoD.¹³⁴ The six modules are: key features of the democratic political process; the Constitution and the Bill of Rights; civil – military relations; the law of armed conflict; multi-cultural diversity; and military professionalism.¹³⁵

¹³¹ Ibid, paragraph 61, pp 79

¹³² Ibid, paragraph 59

¹³³ Ibid, paragraph 60

¹³⁴ Ibid, paragraph 64

¹³⁵ Ibid, paragraph 93, pp 84

An important institution which has been established is the Chief Directorate Equal Opportunity and Affirmative Action. The responsibilities of this institution are the management of the Equal Opportunity and Affirmative Action training. Additionally, the Chief Directorate is tasked with monitoring discrimination, implementation of any related policies and the handling of cases of discrimination.¹³⁶ Moreover, current and “ongoing awareness training for all employees, but especially for officers commanding, will be systematically introduced throughout the DoD.”¹³⁷

Lastly, the Defence Review mentions the establishment of a work group on Equal Opportunity and Affirmative Action. The group is to formulate policy in accordance with the White Paper on Defence. There have also been training modules introduced into all courses to ensure that all personnel are conscious of what constitutes discriminatory or offensive behaviour.¹³⁸ The policy, moreover, calls for sexual harassment prescripts which will apply to all DoD personnel and will be strictly enforced.¹³⁹

3.4.4 Conclusion

The Defence Review is a sizeable policy document with detailed prescriptions on all aspects of the SANDF and DoD. Regarding Gender Transformation, the following conclusions can be drawn. First, the DoD has removed any restrictions encumbering women serving in the SANDF and has identified ways to increase the number of women and militate against problems which may hinder the advancement of women serving in the SANDF.

Second, the Defence Review has established policies to manage the goal of gender diversity in the armed forces. The means include educational

¹³⁶ Ibid, paragraph 65, pp 79

¹³⁷ Ibid

¹³⁸ Ibid, paragraph 66

¹³⁹ Ibid

programmes and the establishment of a Chief Directorate Equal Opportunity and Affirmative Action. The educational programmes' intentions are to encourage personnel to have a greater awareness of discriminatory behaviour and sexual harassment. The Chief Directorate Equal Opportunity and Affirmative Action will monitor and handle cases of discrimination, as well as develop and implement gender discrimination policy.

3.5 The Parliamentary Process

3.5.1 Introduction

The Constitution, the White Paper on Defence and the Defence Review are all established policy documents. As such they do not represent the entirety of the SANDF's policy requirements. In order to complete the picture then, ministerial speeches, Hansards, Parliamentary Committee meeting minutes, and interviews with Members of Parliament will be considered.

The aim is to establish a wider parliamentary concern over gender equity in the armed forces. The speeches presented are a minor sampling of commitments established and discussed at a ministerial level. The sampling is by no means exhaustive as the same commitments are repeated elsewhere. Hansards have also been consulted for similar reasons. Through the use of the committee minutes garnered via the Parliamentary Monitoring Group (PMG), the concern for gender transformation in the SAN at a Parliamentary level is established. Finally, the views of some current members of the Joint Standing Committee on Defence (JSCD) and the Portfolio Committee on Defence (PCD) are presented.

3.5.2 Ministerial Speeches

Four speeches are discussed under this section, one by the Minister of Defence, Mr J Modise, in March 1999, and three by the Deputy Minister of Defence, Ms N Madlala-Routledge, in April and October 2000 and in August 2003. These specific speeches have been chosen as they all present the DoD's commitment to gender transformation.

On the occasion of the Defence Budget Vote on 9 March 1999, the then Minister of Defence, Mr J Modise, discussed in detail many of the hardships faced by the military as well as many of their successes.¹⁴⁰ The Minister initially remarked that the Defence Force underwent perhaps the greatest transformation of any of the state institutions, not least because of the need to integrate eight previously adversarial armed forces.¹⁴¹

With regards to gender, the Minister noted that by 1999 almost 20% of the DoD's members were women, with 13% in uniform and a quarter of these officers. The Minister went on to add that although the SANDF was one of the few armed forces in the world to accept the right of women to serve in combat, the statistics indicate that more needs to be done to improve the number of women in the SANDF. With this in mind, the Minister indicated that there were plans afoot to place greater emphasis on gender equity and that special attention would be paid to develop the career paths of women over the next five years.¹⁴²

A year later the then Deputy Minister of Defence, Ms N Madlala-Routledge, spoke at the Defence Budget Vote on 7 April 2000 and expressed similar

¹⁴⁰ *Address by the Minister of Defence, The Hon Mr J Modise MP, on the Occasion of the Defence Budget Vote, National Assembly, 9 March 1999*, last modified: 19 November 2004, date accessed 15 April 2005, http://www.info.gov.za/speeches/1999/99309_modise99_10252.htm

¹⁴¹ *Ibid.* As was demonstrated in the previous chapter, the different armed forces have vastly differing gender policies. This sentiment is also expressed by the current chairperson of the JSCD, Ms T Tobias (see below).

¹⁴² *Ibid*

sentiments and commitments.¹⁴³ With specific regard to transformation and representivity, the Deputy Minister stated that “transformation in the SANDF has started in earnest.”¹⁴⁴ It was also noted that the middle strata of the armed forces remained white and male. In this regard, “we [the DoD] have identified the need to recruit more blacks and women into the Navy and the Air Force....”¹⁴⁵

Changing numbers does not in itself constitute transformation, as the Deputy Minister concedes:

But, transformation goes beyond numbers. We want to ensure that democratic values are entrenched in every aspect of our work. The Civic Education Programme will become a core part of all training and will include transforming the cultures of the SANDF so that it reflects the values of justice, peace, democracy and development, as well as the diverse spectrum of its membership.¹⁴⁶

In October 2000, the two houses of Parliament met to debate the Peacekeeping and Humanitarian role of the SANDF. At this sitting the Deputy Minister of Defence spoke of the commitment of the President and the Government to “recognising and promoting women's leadership, [and] in ensuring that the Constitution and our laws reflect a firm commitment to gender and racial equality.” Moreover the assertion was made that President Mbeki and the Minister of Defence were working to “ensure racial and gender equality within the SANDF.” For her part, the Deputy Minister stated that she has been tasked by the Minister of Defence “to meet with women soldiers in order to identify specific problems that they are experiencing, which may inhibit their development and promotion within the SANDF.” In order to further the gender equity programme of the SANDF, the Secretary for Defence and the Ministry of Defence

¹⁴³ *Statement by the Deputy Minister of Defence, Ms Madlala-Routledge, During the Defence Budget Vote 2000/2001, 7 April 2000, last modified: 17 June 2004, date accessed: 15 April 2005, <http://www.info.gov.za/speeches/2000/0004111255p1005.htm>*

¹⁴⁴ Ibid

¹⁴⁵ Ibid

¹⁴⁶ Ibid

have the ability to "monitor policy implementation with regard to the promotion of non-racism and non-sexism in the SANDF."¹⁴⁷

In a more detailed speech, the Deputy Minister discussed the specifics of women and the DoD.¹⁴⁸ In 1994, the DoD was compelled to introduce a gender equity programme. Through the Directorate Equal Opportunities, the DoD was then able to implement a Gender Focal Point programme.

The Deputy Minister was also very positive about the numbers of women serving in the previously male-dominated musterings of the Air Force and SAN. However, problems still do persist, even after gender-sensitivity training. Women in the DoD and SANDF have the same career opportunities as men, yet they are still under-represented in crucial strategic decision-making bodies in the DoD. A solution to this problem is the policy of fast-tracking to improve representivity. This policy enables women to advance their careers and facilitates accelerated development at senior levels, thus guaranteeing female empowerment.¹⁴⁹

These speeches have provided an indication of the concern at senior DoD ministry levels for gender equity and representivity in the armed forces. Of particular concern is the under-representation of women in senior and middle-level officer positions and in strategic planning. This is especially true for the SAN and Air Force. Moreover, whilst the numbers of women may be improving over time, concern is still raised over gender discrimination and the continuing need for special education and policy programmes.

¹⁴⁷ "Peacekeeping and Humanitarian Role of the SANDF", Thursday 5 October 2000, date accessed: 13 February 2006, http://www.parliament.gov.za/pls/portal/web_app.uti_output_doc?p_table=papers&p_doc_col=paper&p_mime_col=mime_type&p_id=196005

¹⁴⁸ Address by Ms Nozizwe Madlala-Routledge, MP, Deputy Minister of Defence, at the DoD's Women's Day Celebration, 7 August 2003, last modified: 17 June 2004, date accessed: 14 June 2005, <http://www.infor.gov.za/speeches/2003/03100116461004.htm>

¹⁴⁹ Ibid

3.5.3 Hansards

Although the National Assembly is not the place for the formulation of policy, questions asked and issues raised by members in the House do give a reliable indication of debates present in the policy realm. With this in mind, the official transcripts of NA proceedings are consulted for instances where the issue of gender transformation in the SANDF is raised. These mostly take the form of Budget Votes and internal question papers.

On the occasion of the Defence Budget vote, 7 April 2000, Mrs NR Shope (ANC) brought to the House's attention the importance of the emancipation of women and how the integration process can obstruct the emancipation process. Further, Mrs Shope highlighted that although the SANDF has held two gender conferences and that General Sedibe is in charge of the equal opportunity programmes, women's issues have a longer route to decision makers because General Sedibe reports to a person of lower, not higher, rank.¹⁵⁰

The occasion of the second reading debate of the Defence Bill in August 2002 in the NA was another instance where gender transformation issues in the SANDF were raised. Most notable amongst these was Mr SB Ntuli (ANC), who lauded the first two female generals (Major General Sedibe and Major General Van der Poel). He further urged the DoD to examine "the environmental and working conditions of women to enable them to perform their duties in a way that is equivalent to that of their male counterparts."¹⁵¹

The most recent statements in Parliament about gender transformation in the SANDF were made during the Appropriation Bill (Policy Debate) for the

¹⁵⁰ Parliament of South Africa, Hansard, Friday 7 April 2000, date accessed: 13 February 2006, http://www.parliament.gov.za/pls/portal/web_app.utl_output_doc?p_table=papers&p_doc_col=paper&p_mime_col=mime_type&p_id=19931

¹⁵¹ Parliament of South Africa, Hansard, "Defence Bill" Wednesday 21 August 2002, date accessed: 13 February 2006, http://www.parliament.gov.za/pls/portal/web_app.utl_output_doc?p_table=papers&p_doc_col=paper&p_mime_col=mime_type&p_id=591962

Justice and Security Cluster in the NCOP. Here the Minister of Defence, Mr MGP Lekota, brought to the House's attention the lack of women as "lieutenants-general and majors-general in the top structure of the SA National Defence Force" as well as "a very limited representation of women in the senior management of the Department of Defence as a whole."¹⁵² The stated reason for this lack of gender representation was that the former military groupings (such as SADF, MK, APLA) did not have gender equity policies. In addition, the recruitment process poses some concerns.

The most notable obstacle towards achieving an adequate gender representation lies in the combat musterings of the Air Force and the SAN. The Minister stated that although the percentages might be adequate, they are "not in the right places where they ought to be."¹⁵³ Thus, gender representation is something that must be achieved at all levels of the armed forces, not just in higher- and lower-ranks, but also middle-ranks.

The NA and the NCOP have both been forums for the addressing of gender transformation in the SANDF. Many of the same issues mentioned by the former Minister and Deputy Minister of Defence have been raised in both Houses. The concerns of MPs are that although gender transformation is underway, there are still crucial problems in the equal opportunities programme and that gender specific policies are lacking. Therefore, success has been mixed. Indeed, the working environment of women in the SANDF is of concern to some MPs.

There is still a lack of gender representation in important areas, which is in part due to the integration process. However, there have been some successes

¹⁵² Parliament of South Africa, Hansard, "Appropriation Bill (Policy Debate) - Vote No 20 - Correctional Services; Vote No 21 - Defence; Vote No 23 - Justice and Constitutional Development; and Vote No 24 - Safety and Security" Tuesday 24 May 2005, date accessed: 2 March 2006,
http://www.parliament.gov.za/pls/portal/web_app.output_doc?p_table=papers&p_doc_col=paper&p_mime_col=mime_type&p_id=620373

¹⁵³ Ibid

that have pleased the Honourable Members. These include senior appointments of females and comprehensive transformation plans.

3.5.4 Joint Standing Committee on Defence and Portfolio Committee on Defence Minutes

The two principal committees where the issue of gender transformation in the military and SAN is discussed are the Joint Standing Committee on Defence and the smaller Portfolio Committee on Defence. The Joint Standing Committee on Monitoring of the Status and Quality of Life of Women has also, on occasion, heard submissions by the DoD. However, these are most often in reference to government-wide policies, such as the establishment of Gender Focal Points.

These minutes will be assessed chronologically, in order to correspond to the developing policy of the DoD, i.e. the White Paper on Defence and the Defence Review. The one limitation, however, is that records of Parliamentary Committees were only kept from 1997/1998 onwards. Nonetheless, it is the continuing interest of Parliament in gender transformation that is of interest, and the initial source of gender transformation in the armed forces has already been established.

Prior to 1999, not a great deal of information exists regarding MPs questioning the DoD about gender transformation. One of the first questions raised about gender equality concerns the *Military Discipline Supplementary Measures Draft Bill*, where Ms Kota (ANC) asked if “there [will] be gender equality in the appointments to the Courts?”¹⁵⁴ A major submission to Parliament was a briefing by the DoD about transformation in the department.¹⁵⁵ A range of issues were raised and addressed in this meeting. The Civic Education

¹⁵⁴ Parliamentary Monitoring Group “DJC 16/02/99 Military Discipline Supplementary Measures Draft Bill”, date accessed: 28 August 2005, http://www.jutastat.com/CGI-BIN/om_isapi.dll?clientID=314640&advquery=transformation%20defence&hitsperheading=on&infoase=pmg&record={F}&softpage=Doc_Frame_Pg42&zz=

¹⁵⁵ PMG “DJC 23/03/99 Transformation in Defence Department: briefing”, Ibid

Programme was detailed. More specifically, in answering a question about representation, General Nyanda, the then Chief of the SANDF, replied "Gender representation is not accurate yet."¹⁵⁶ A further question was raised about problems facing transformation of the SAN and Air Force. The General replied that there was a lack of trained and experienced female personnel as the liberation forces did not emphasise these roles.

In a detailed submission to Parliament in 2001, where a major review of the integration process was conducted, the Minister of Defence mentioned that there was a problem of societal attitudes towards women present in the SANDF.¹⁵⁷ Transformation of this issue was thus also a concern for the SANDF. In 2001, the DoD submitted to the PCD a briefing on Equal Opportunities in the SANDF. The Directorate of Equal Opportunities supplied information on a range of issues including affirmative action, prevention of sexual harassment, gender awareness, and training and development. It was noted that one of the fundamental challenges concerned women in combat roles. The Committee expressed concern about the resistance of senior officers to change. The Committee and the delegation "agreed on the need to orientate the top management in the Department to become receptive to policy changes."¹⁵⁸

Of particular importance was a question raised by Mr J Mashimbye (ANC). Although there is a progressive policy regarding women in combat, the member inquired if such a policy is implemented and if it reaches the command structures. Ms Van Rensburg, Deputy Director: Development, Evaluation and Research, replied that the Chief of the SA Navy has said that women would be accommodated in the new submarines. The submarines currently in service do not have facilities for women. Regarding policies, there are still attitudes and perceptions which are not receptive to the policies, indeed, not all women are

¹⁵⁶ Ibid

¹⁵⁷ PMG, "Setai Commission Final Report: Progress Report on Integration since June 2001" date accessed: 15 April 2005, <http://www.pmg.org.za/viewminute.php?id=1064>,

¹⁵⁸ PMG, "Equal Opportunities in the SANDF briefing" 16 October 2001, Portfolio Committee on Defence, date accessed: 3 February 2006, <http://www.pmg.org.za/viewminute.php?id=1094>

ready for gender integration.¹⁵⁹ General Sedibe commented that the submarines lack privacy, due to a lack of space. General Sedibe added that during the start of the integration process the Directorate visited all the services, including the SAN.¹⁶⁰

Mr Mashimbye inquired as to why women are not involved in combat and which areas of the defence force have the most problems regarding women in combat roles. Gen Sedibe replied that there are women in combat in the infantry and that some are commanding officers and went on to say that there are few women in artillery and the air force.¹⁶¹

More queries regarding gender representivity and transformation in the DoD and SANDF were raised at various intervals during the period 2003 to 2005.¹⁶² However, these were mostly general inquiries, much unlike the submission on 5 March 2003, concerning the SAN's gender transformation.¹⁶³ During this presentation, the JSCD was briefed on the process of transformation in the SAN.

In matters specific to gender transformation, there was a query by Mr R. Mthetu¹⁶⁴, who wanted to know how education and training was made available to women, the mentorship programme and its effectiveness.¹⁶⁵ Admiral Retief responded that "women are provided with the same opportunities as men in the

¹⁵⁹ This poses an intrigue problem for the armed forces, and more broadly for the gender transformation project as a whole. Certainly it warrants further research.

¹⁶⁰ PMG, 16 October 2001, op cit

¹⁶¹ Ibid

¹⁶² These include: PMG, "Department Response to Setai Commission Report briefing" 9 April 2003, PMG, "Civic Education Evaluation and Advisory Board Annual Report 2003: Briefing" 7 June 2005, PMG, "Equal Opportunity and Affirmative Action Annual Report 2003 – 2005", 26 August 2005, PMG, "Armcor Annual Report and Equal Opportunities Board: Briefing" 30 August 2005, and PMG, "The Portfolio Committee on Defence, Oversight Visit to the Military Academy at Saldanha" 19 January 2005.

¹⁶³ PMG, "Transformation and Integration in the South African Navy", 5 March 2003, Joint Standing Committee on Defence, date accessed: 1 February 2006, <http://www.pmg.org.za/viewminute.php?id=2494>

¹⁶⁴ Party not indicated.

¹⁶⁵ PMG, "Transformation and Integration in the South African Navy", op cit, 5 March 2003

Navy.” The Chairperson, Ms TR Modise, expressed her hope that women would form part of the crews manning the new corvettes and submarines.¹⁶⁶

Evidently, then, Parliament, in the form of the two sub-committees, has expressed its on-going concern about gender transformation in the SANDF, sometimes specifically. Prior to 1999, this issue was not regularly discussed. Since the incident at Tempe Military Base, the broader issue of transformation has received greater importance in the committees. The concerns of some of the members of the committees relate to human resource policies, the range of representation through the ranks, and actual numbers of women in the ranks.

3.5.5 Interviews with Members of Parliament

Three MPs were interviewed on this topic between November 2005 and March 2006: Mr M Sayed Ali Shah, DA spokesperson on Defence, Mr VB Ndlovu, from the IFP and long-time member of the JSCD and PCD, and Ms T Tobias, ANC Chairperson of both the JSCD and PCD. They were asked a series of questions relating to the topic, and provided an opportunity for a deeper understanding of the issue.¹⁶⁷

The two major opposition parties represented in the Parliamentary Committees, the DA and IFP, have similar policies regarding transformation and its implication for women. The Democratic Alliance believes that transformation should progress based on merit, and without hindrance to efficiency. Mr Shah, the DA’s spokesperson on defence remarked “It’s no use putting somebody there because they are black or putting somebody there because they are a woman,

¹⁶⁶ Ibid

¹⁶⁷ The list of identical questions can be found in the Appendix

how is that going to affect the efficiency of that structure?"¹⁶⁸ This sentiment has been echoed in numerous press releases issued by the DA.¹⁶⁹

Moreover, the DA has expressed concern that the ANC's policies of transformation have been implemented in an inconsistent manner. Specifically, Opposition parties have claimed that the arguments for transformation have been used to justify the deployment of "its loyal cadres to strategic positions, not only in the civil service, in government and ministries, but also in the SANDF."¹⁷⁰ A question is thus posed as to whether the ANC is taking into consideration gender, or rather that the individual is an "ex-MK, male... high-ranking cadre"?¹⁷¹

The IFP expresses similar concerns about individuality in the context of transformation. A merit approach is preferred, and Mr Ndlovu of the IFP argues that the "IFP don't believe that they should give a position to a woman because she is a woman". If a position is given to a woman, she must first qualify for that position, because any attempt to "camouflage" the situation would create a bad example were she to fail. Recognition is made that historical processes have led to additional demands being placed on women, and several policies need to be pursued in order to advance the situation of women.¹⁷²

All the MPs viewed the role of Parliament as an important one in the greater goal of gender transformation in the country. However, the opposition

¹⁶⁸ Interview with Mr Shah, Member of Parliament for the Democratic Alliance, 14 December 2005

¹⁶⁹ See the following: "Transformation in SANDF dare not lead to lowering of standards" Statement issued by: Hendrik Schmidt, DA spokesperson on Defence, Wednesday, January 09, 2002; "Failed Transformation Led To R1,6-Bn Consultants Fees" Statement issued by: Mike Waters, DA spokesperson on Social Development, Tuesday, June 26, 2001; "W Cape Social Development MEC must retract her 'transformation threat'" Statement issued by: Sandra Botha, Friday, June 11, 2004; "Transformation in SAPS should not be allowed to hamper fight against crime" Statement issued by: Paul Swart, DA spokesperson on Intelligence, Tuesday, December 10, 2002. All available at <http://www.da.org.za/da/Site/Eng/News/news.asp> date accessed: 9 January 2006

¹⁷⁰ Mr Shah, op cit, 2005

¹⁷¹ Ibid

¹⁷² For examples see: "IFP Executive Policy Summaries – Women Issues", 2000, <http://www.ifp.org.za/Policies/polwomen.htm>; and "IFP – 1999 Annual General Conference Resolutions", August 1 1999, <http://www.ifp.org.za/resolutions/resagc99.htm>. Date accessed: 9 January 2006

parties tended to favour a merit-based approach to the issue. As for the level of progress made by the military, the responses were similarly mixed. Mr Shah is concerned that “transformation is ... not being lead by imperatives and needs and supported by proper advice and consultation. What is actually happening is that there is a political agenda being implemented in the guise of transformation, which is also affecting the gender issue.”

On the other hand, Mr Ndlovu is relatively pleased with the progress made so far, whilst Ms Tobias sees the gender transformation project as “coming of age”. Although there is patently more to be done, Ms Tobias views Parliament as taking a critical step in oversight to ensure that changes are made. Additionally, Ms Tobias views gender transformation as being “high on [Parliament’s] agenda.”

Both Mr Shah and Mr Ndlovu expressed concern about real and potential problems for women serving in the SAN, especially with regards to the other armed forces. For instance, Mr Shah was concerned about the SAN’s policy regarding pregnancy. In the other arms this might not be such a problem, but there are health issues concerning pregnant women on submarines. Mr Ndlovu was concerned about more social aspects, such as the impact on family life when a mother or both parents are serving, and sexual harassment on ships. Ms Tobias expressed a more general concern regarding all state institutions and their hesitancy to deal seriously with gender transformation. Moreover, the chairperson would like to see a drive to achieve 50-50 representation in all political and state structures.

The MPs in the committees are clearly concerned about the matter of gender transformation in the SAN and in the SANDF broadly. Moreover, they have general and specific concerns. These include pregnancy, social relationships and career barriers.

3.5.6 Conclusion

The concern of Parliament about gender transformation in the SANDF is evident. This has not been a one-off presentation, or the concern of a few MPs, but rather a continuous and extensive subject of interest during all three Parliaments convened since 1994.

Speeches have been made by DoD ministers and deputy ministers on gender equity and representivity. Particular concern has been expressed about the under-representation of women in senior and middle-level officers and in strategic planning. Additionally, although the numbers of women may be improving over time, attention is still being paid to gender discrimination and the continuing need for special education and policy programmes.

Both Houses of Parliament have also been forums for gender transformation, with the JSCD and PCD in particular. Some degree of success has been mentioned in Parliament. These successes include senior appointments of females and comprehensive transformation plans. Also the Gender Focal Point has been working well. Some of the issues raised by MPs are that although gender transformation is underway, the equal opportunities programme has problems. Also there are gender specific policies, such as child-care, pregnancy, social relationships, and medical aid for women, which need attention. These concerns of MPs can thus be grouped into broad categories of human resource policies, representation through the ranks, and actual numbers.

3.6 Conclusion

The policy of gender transformation in the SANDF and DoD has a definite hierarchy. Initially, there is the Constitution. The Constitution provides for the specific right of gender equality, which is granted a high degree. This is extended to the security forces. The JSCD, which is constitutionally mandated, and the

PCD, are tasked with the oversight of the armed forces. Amongst other tasks, the committees are compelled to ensure that commitments are met in the SANDF.

Gender composition of the SANDF was illustrated in the White Paper¹⁷³, primarily in recognition of the right of women to serve in all ranks and in combat. In pursuit of this, the White Paper calls for a large scale programme of equal opportunity, which requires regular submissions to Parliament.

Concerns were raised about the under-representation of women in senior- and middle-level officer positions and in strategic planning. Other concerns were gender discrimination and the continuing need for special education and policy programmes; improving numbers of women serving; and the equal opportunities programme. It was noted that there are gender-specific policies which need attention. The concerns of MPs are grouped into a few broad categories: human resource policies; representation through the ranks; and actual numbers of women in the ranks. It is these three categories, as they apply to the South African Navy, that will be examined in greater detail.

¹⁷³ The SAN's specific policies will be addressed in the next chapter

Chapter 4 – The South African Navy

4.1 Introduction

The evidence must now be presented in order to assess the gender transformation project in the SAN. There are two broad categories: firstly, the policy intentions of the SAN relating to gender transformation as expressed in three documents¹⁷⁴; and secondly, the numbers of women and their distribution throughout the ranks of the SAN. The former will be presented in order to discern the essential elements of the policies and how the institution proceeds with transforming itself. In this respect, the SAN has developed a number of definitions relating to the various policies. The most pertinent of these can be found in the Glossary.

Subsequent to a presentation of the policies, the numbers of women currently serving, the numbers of women to be discharged since the integration of forces, and the current numbers by rank distribution, will be presented. The first set of figures will indicate the percentage of women, whilst the second set will provide an impression of the retention levels of the SAN. The last figure will demonstrate the effectiveness of retaining, training and promoting of female officers in the SAN. These figures will then be compared with similar figures for men and from similar data in 1999.

4.2 Naval Policies

The three policy documents promulgated within the SAN concerning gender transformation are: Naval Order Pers No 3/2001 Equal Opportunity and Affirmative Action; Naval Order Gen 2/2005 Social Responsibility in the SA Navy; and Naval Order Gen 1/2006 Gender Transformation in the SA Navy. Each will

¹⁷⁴ Not examined here is what the SAN actually does, how the policies are experienced nor the outcomes of the policies.

be discussed in turn to establish what the exact policy of the SAN is for Gender Transformation. Similar to the previous chapter, these policies will be discussed according to the goals and means of gender transformation.

4.2.1 Equal Opportunity and Affirmative Action

On 2 July 2001 the Personnel Order on Equal Opportunity and Affirmative Action was implemented. The aim of the document was “to provide guidelines [with respect to] the broad parameters governing the implementation of Equal Opportunities and Affirmative Action” in the SAN.¹⁷⁵ It details the principles and objectives of both EO and AA with attention to different forms of discrimination that occur. However, only employment equity, pregnancy and gender will be discussed.¹⁷⁶

The introduction of the naval order states that affirmative action must be seen as a means to an end, that end being equality and equal opportunities for all persons, groups, or categories of persons.¹⁷⁷ Furthermore, this naval order is meant to address the imbalances in the demographic representation of the SAN and its leadership structures.¹⁷⁸ Therefore, the aim of the naval order is to “provide direction on EO and AA for the SA Navy ..., to redress the imbalances of the past, to protect individuals against unfair discrimination, and to work towards greater employment equity.”¹⁷⁹

There are evidently three goals being pursued in this policy: redressing the past; achieving fairness and opportunity in the process of transformation; and increasing representivity, an outcome of transformation. This assessment is based on the outcomes of transformation, not the means, thus representivity is

¹⁷⁵ Director Naval Personnel, Naval Order PERS NO 3/2001, *Equal Opportunity and Affirmative Action*, July 2001, pp vi

¹⁷⁶ For definition of these, refer to glossary

¹⁷⁷ Naval Order PERS NO 3/2001, op cit, pp 1

¹⁷⁸ Ibid, pp 2

¹⁷⁹ Ibid

the crucial aspect. Moreover, the stated objective of the naval order is to ensure that the SAN takes active measures to be "broadly representative of the population it serves."¹⁸⁰ In general terms, the process entails the elimination of unfair discrimination in the management of human resources; the continual identification and correction of unfair practices and policies; the acknowledgement of sexual harassment as a form of sex and gender discrimination that impacts negatively on mission readiness; and the acknowledgement of "the rights of women to serve in all ranks and positions, including combat roles."¹⁸¹

The naval order sets out a number of policies relating to Employment Equity for Women, of which there are five provisions. First, all teams, groups, delegations and such like, shall give due consideration to mission accomplishment, whilst concurrently giving due consideration to representivity. Second, during parades and drill exercises, it is preferred that women be grouped together. This is due to the notion of *fair discrimination*, based on physiological differences relating to length of step and the carrying of swords or arms.¹⁸² This is in keeping with the standard military practice of arranging such groups by height.

Third, relating to combat roles, all women are afforded the right to serve in combat. In addition, the working environment must be made conducive to the successful training, development and employment of women in the SAN. Fourth, facilities in the SAN are required to be improved to be "gender-appropriate with due regard to privacy and decency."¹⁸³ Lastly, in order to achieve the representivity targets, training facilities must be improved in all musterings and specialised fields should be increased.¹⁸⁴

¹⁸⁰ Ibid, pp 3

¹⁸¹ Ibid, pp 6

¹⁸² Ibid, pp 8

¹⁸³ Ibid

¹⁸⁴ Ibid

The SAN further commits itself to non-discrimination on grounds of gender through several pronouncements made in order to “promote good order, discipline and equity for individuals in a non-sexist SA Navy”.¹⁸⁵ These take the form of the creation of a gender-neutral working environment through the elimination of “all derogatory sexual themes and conduct.”¹⁸⁶ This includes language, pornography, sexual advances and sexual harassment.

With regards to Recruitment and Selection policies, the SAN will ensure that special measures are taken in order that previously under-represented groups are employed in areas from which they were formerly excluded. There is also a policy of “accelerated advancement and fast-tracking”, if an individual agrees to it, which is used to promote representivity and to provide balance if the individual was previously disadvantaged.¹⁸⁷

Concerning the situation of women in the SAN, representation must be considered with the primary goal of mission accomplishment in mind. Some of the means established are in the form of *fair discrimination*, such as the practices relating to parades and drills. As women are allowed to serve in all areas of the SAN, a gender-neutral environment must be created. Furthermore, to facilitate women serving in all ranks and musterings; training, working environments, and selection and recruitments policies need to be improved.

4.2.2 Social Responsibility

The Naval Order on Social Responsibility is an attempt by the SAN to formalise acceptable personal relationships among members that were previously governed by custom and tradition. Most crucial are personal relationships between officers and NCOs, because they diminish respect for authority, which is integral to the SAN’s functioning. Thus the aim of the naval

¹⁸⁵ Ibid

¹⁸⁶ Ibid

¹⁸⁷ Ibid, pp 14

order is to prescribe accepted behaviour in terms of “interaction between gender groups and rank groups, with special reference to fraternisation, sexual harassment, use of accommodation and ablution facilities, maintenance of a gender neutral environment, and the use of alcohol in the SA Navy.”¹⁸⁸

Therefore, this section will examine the naval order with respect to accommodation and ablution facilities and the maintenance of a gender neutral environment.

The maintenance of privacy and decency are fundamental elements in the need for a policy on accommodation and ablution facilities.¹⁸⁹ With this goal in mind, the document outlines numerous provisions with respect to Shore Establishments and Ships. The basic provisions concern the ensuring of privacy, housing (shore establishments are required to be separate), recreation areas, minimum dress codes, and different messes for officers and NCOs.¹⁹⁰

The Naval Order outlines the SAN’s commitment to a gender neutral and gender fair environment as part of its military professionalism. The stipulations are specific, governing a range of issues from the use of computer screensavers to use of language. Regarding training¹⁹¹:

The Education, Training and Development process is a formative process which seeks to transmit the value system of the SA Navy to learners. As such, specific vigilance must be used in the training establishments, to eradicate the use of any foul or abusive language, whether between learners or between instructors and learners. This includes derogatory or dehumanising terminology such as referring to female learners by such terms as “lyfie”, “dolls”, ladies, and the like. Learners are to be addressed appropriately in terms of their rank and not in terms of their gender.

¹⁸⁸ Chief of Naval Staff, Naval Order: GEN NO 2/2005, *Social Responsibility in the SA Navy*, January 2006, pp v

¹⁸⁹ Ibid, pp 7

¹⁹⁰ Ibid, pp 8 – 9

¹⁹¹ Ibid, pp 9

This very specific, strict and detailed naval order, which seeks to formalise social relationships within the SAN sets forth a number of important provisions. Two specific realms are examined: accommodation/ablution facilities and the creation and maintaining of a gender neutral environment. First, the naval order stipulated that in shore establishments, men and women are to be housed in different facilities with different ablutions. Moreover, men and women are prohibited from frequenting the housing facilities of the opposite sex. Second, many of the same stipulations apply to ships, with the major difference being that men and women may share accommodation, but this does not extend to officers and NCOs.

In establishing a gender neutral environment, minimum dress codes are stipulated for many occasions both on shore and on ships. The stipulations governing all naval business are more specific and include use of language in training and development, general conduct and behaviour and the removal of any and all media with sexual connotations.

A gender neutral environment is therefore one in which neither gender faces harassment or discrimination.¹⁹² This is somewhat different to a gender fair or gender friendly environment, where some level of difference is acknowledged – as would be the case around the issue of pregnancy.

4.2.3 Gender Transformation

In order to fulfil statutory and policy requirements, the SAN has promulgated an order to institutionalise a framework for the development of policies, procedures, and practices to ensure women's equal rights and opportunities for women.¹⁹³ This section will examine the Naval Order on Gender

¹⁹² See Glossary for SAN's interpretations of discrimination

¹⁹³ Chief of Naval Staff, Naval Order: GEN NO 1/2006, *Gender Transformation in the SA Navy*, February 2006, pp v

Transformation in terms of the previous section; these being leadership and decision-making, and human resource, policies and practices.

Leadership and decision-making form a critical part of the gender transformation process as the naval order asserts that "issues of discrimination are essentially issues of leadership."¹⁹⁴ Furthermore, for gender transformation to proceed, the policies need to be embedded in the military ethos of the SAN, and form part of the organisational culture. Such a process, however, takes place in an environment peppered with perceptions and stereotypes. Thus, the leadership is required to take an active role in the institutionalisation of gender equity through the spreading of associated values, attitudes and behaviours.¹⁹⁵

The human resource policies and practices of the SAN are also addressed as important mechanisms in gender transformation. In order to ensure the principle of equal access to opportunity, the human resource policies and practices are assessed in order to ascertain whether they might constitute barriers to the advancement of women in the SAN.¹⁹⁶ To this end, a number of policies and practices which are potential barriers to transformation should be scrutinised by those in positions of leadership.

In the Operational Environments, women have only recently been permitted to apply for positions in areas such as Diving and Submarine Warfare. Although the policy might be inclusive, there is still a continued under-representation of women in these areas, which can be explained by:¹⁹⁷

- i. an inability, or perceived inability to meet the entry requirements;
- ii. an inability or perceived inability to complete the requisite learning opportunities;

¹⁹⁴ Ibid, pp 5

¹⁹⁵ Ibid

¹⁹⁶ Ibid

¹⁹⁷ Ibid

- iii. lack of desire to enter these domains because of perceptions regarding job requirements; and
- iv. self initiated requests to leave these domains after having qualified.

However, no specific policies are mentioned to alleviate these problems. Suffice to say that any discrimination that does not conform to the legitimate requirements of the job or post is deemed unconstitutional.¹⁹⁸

Whereas the policies concerning barriers are primarily an issue of training and promotion, the following policies on pregnancy are concerned with retaining women in the service. The provisions are mostly in the form of general and specific limitations. First, under general limitations, any member who is determined by a military medical practitioner to be pregnant is exempt from:¹⁹⁹

- Mandatory physical fitness tests during pregnancy and for six months after delivery.
- Exposure to chemical or toxic agents and/or environmental hazards that are determined to be unsafe by the authorised applicable Area Military Health Unit in conjunction with a military medical practitioner.
- Standing on parade for longer than fifteen minutes.
- Participation in weapons training, swimming qualifications, drown-proofing, and any other physical training requirements that may affect the health of the pregnant member/foetus. Diving duty is hazardous and carries an increased hyperbaric risk to the foetus, and any type of diving during pregnancy is therefore prohibited.

The pregnant member is never exempted from completing assigned watches.²⁰⁰

Second, specific limitations, which apply during the last 3 months of pregnancy, stipulate that such a member be allowed to rest for twenty minutes

¹⁹⁸ Ibid

¹⁹⁹ Ibid, pp 13

²⁰⁰ Ibid

every four hours.²⁰¹ Other restrictions exist depending on medical situations, as defined by military medical practitioners, or on environmental, radiation, and/or chemical exposure as defined by an Area Military Health Unit. In addition, some ergonomic restrictions may be made in instances where the individuals' physical configuration or abilities prohibit participation, or when the individual experiences nausea, or if exhaustion would be hazardous to the health of the mother, the child or those around her.²⁰²

With regard to assignments, the Director Fleet Human Resources would limit overseas assignments of pregnant members as much as possible. For the entire period of her pregnancy, no member would remain staffed on any SAN ship or submarine. Rather, the member would be posted to a shore establishment for a period of time including her maternity leave. Subsequent to her return, the Director Fleet Human Resource "together with the applicable role-players, shall ensure placement of the woman in such a way as to accommodate the organisational requirement first, and her personal requirement thereafter."²⁰³

Other than specific policies, the naval order also calls for the establishment of "gender structures". These include the SA Navy Gender Focus Group and SA Navy Gender Forums. The former is established under the chairpersonship of the Chief of the Navy, with the purpose of "empowering women through the interrogation of barriers and the creation of conditions for organisational success, personal growth and participation."²⁰⁴ Thus, these structures are aimed at both retention and promotion of women. The representatives are appointed by the Chief of the Navy and drawn from organisational levels Two and Three.

The functions of the Forums are to give advice on gender-related issues and identify and make recommendations on environmental and service

²⁰¹ Ibid, pp 14

²⁰² Ibid

²⁰³ Ibid

²⁰⁴ Ibid, pp 16

conditions, and employment barriers to women, as well as make submissions to the relevant higher authority. They also monitor the implementation and progress of gender policies, projects, and programmes and evaluate their efficacy and suggest amendments if necessary.²⁰⁵

Held prior to the promulgation of this naval order, Rear Admiral (Junior Grade) Litchfield-Tshabalala led an important three-day all women's conference from 5 October 2005.²⁰⁶ The conference comprised of serving female uniformed officers and non-uniformed personnel and dealt with many of the issues mentioned above.

The SAN takes a strong view of leadership where gender transformation is concerned. The naval order recognises that values need to be addressed at the leadership level if they are to become embedded in the rest of the service. The naval order seeks to achieve this through its human resource policies. Numerous obstacles to the career advancement of women were identified; however, few policies that counter-act these are mentioned.

4.2.4 Conclusion

The three naval orders taken together constitute the bulk of the SAN's specific policies regarding gender transformation. In these orders, several provisions are advanced, detailing how the SAN has implemented policies regarding the inclusion of women into all domains of service.

The first naval order, on EO and AA, illustrates the SAN's framework for equality and demographic representation, specifying the policies of fast-tracking, delineating the human resources practices to enhance AA programmes, and

²⁰⁵ Ibid, pp 16 – 18

²⁰⁶ Media Liaison Office, Naval Base Simon's Town, "First Female Navy Admiral Leads A Women's Conference", date accessed: 5/11/2005, date modified: 5/10/2005, http://www.navy.mil.za/forecastle/i051006_conference/article.htm

eradicating tokenism in the development of the disadvantaged. As far as it regards the situation of women in the SAN, the order stipulates some fair discrimination (parades and drills, and pregnancy). To facilitate women serving in all ranks and mustering, the order calls for training, working environments, and selection and recruitment policies to be improved. Lastly, because women are allowed to serve in all areas of the SAN, a gender-neutral environment must be created.

The second, Social Responsibility, formalises social relationships within the SAN. Two specific realms are detailed: accommodation/ablution facilities and the creation and maintaining of a gender neutral environment. Housing arrangements and ablution facilities on both ship and shore establishments are strictly regulated. Similarly, the establishing and maintaining of a gender neutral environment is also highly regulated. Minimum dress codes, use of language in training and development, general conduct and behaviour and the removal of any and all media with sexual connotations, are some of the unequivocal policies.

To critically reflect on these policies, a few important observations can be made. First, aside from general references to make the SAN “broadly representative”, there are no clear targets mentioned or set in any of the documents. As such, it is not clear whether the SAN intends to push for a 50-50 representation or what degree of representation could be deemed sufficient. In either case more elaboration and clarity is required.

Second, these documents do not show how gender transformation relates to racial transformation, as these can often be opposing goals. A policy of gender-sensitisation²⁰⁷ would tend to differences, whilst a racial-integration process would focus on breaking down differences.

²⁰⁷ See Glossary

As of the time of writing, it is too early to adequately assess how these policies have been received as they have only recently been implemented. The potential impact of these policies is all that can be argued. In the short-term, It is likely that there will be some hesitancies involved both on the levels of the institution itself and amongst many of the individual service members. Policies would most likely need to be developed to cater for these contingencies. These policies will surely have their share of teething problems as the implementation begins and increases.

One of the intended potential medium-term impacts would be an increased number of women recruited and retained with in the SAN. Therefore, as the numbers of women increase these policies would become more important and reach further into the operations of the SAN. Although difficult to research, the budgetary aspects of these policies are also of concern, i.e. is there enough funding available to implement all these policies effectively. The degree of funding would also give an indication as to the commitment of the DoD and SAN personnel to gender transformation.

The long-term impacts would depend largely on the success of the policies in the short- and medium-term to recruit and retain women in the SAN. If the levels of female representation do not reach a point that is deemed appropriate by Parliament, it is likely the pressure will build for new and further-reaching policies.

4.3 Numbers and Ranks

4.3.1 Introduction

The policies of the SAN only constitute part of the picture of gender transformation. Other concerns are how the policies have been interpreted, implemented and experienced. The rest is comprised of the actual numbers of

women serving in the SAN. As discussed before, the numbers alone are insufficient; Parliament is also concerned about the distribution amongst the ranks. To this end, the number and ranks of women serving in the SAN are presented.

The numbers do have some limitations however. The SANDF has been undergoing a rationalisation process; reducing the force numbers overall. This process will thus have an impact on the ability of the SAN to recruit and employ new personnel. Additionally, as the latest Defence Budget Vote illustrates, a significant proportion of the budget is ear-marked for the Strategic Defence Procurement Package.²⁰⁸ Such expenditure could potentially influence the types of contracts and service packages offered to SAN personnel, so that there would be more short-term and less permanent force contracts.

Data was obtained from the SANDF's human resource data-base during a meeting with a representative from Fleet Human Resources in Simon's Town. Two series sets of data are examined: the number of women serving as of 10 March 2006, and the number of women who have left the SAN from 28 April 1994 to 10 March 2006. The relevance of the statistics can only be judged in relation to other figures, therefore, the section will first present the current data and then proceed to compare the data and offer analysis of the statistics.

²⁰⁸ National Treasury, *Estimates of National Expenditure 2006* "Vote 21: Defence", February 2006, <http://www.treasury.gov.za/documents/budget/2006/ene/Vote%2021%20Defence.pdf>, date accessed: 3 August 2006

4.3.2 Number Currently Serving²⁰⁹

	Rank	MSDS	Perm. Force	5yr Contract	2yr Contract	Total
02	Vice Admiral					
03	Rear Admiral					
04	Rear Admiral (Junior Grade)		1			1
05	Captain		8			8
06	Commander		21			21
07	Lieutenant Commander	1	13	8		22
08	Lieutenant			11		11
09	Sub-Lieutenant			16		16
10	Ensign	10		8	1	19
11	Warrant Officer Class 1		22			22
12	Warrant Officer Class 2		35			35
13	Chief Petty Officer	2	48	11		61
14	Petty Officer	9	16	103	3	131
15	Leading Seaman	86	1	118	50	255
16	Able Seaman	128		14	6	148
17	Seaman	377				377
	Total	613	165	289	60	1127

Table 4.1 Number of Women Serving, March 2006

The first data table, above, is of the number and ranks of women currently serving in the SAN.

The ranks of the South African Navy can be grouped together as follows: first, Flag Officers are comprised of Vice Admirals, Rear Admirals and Rear Admirals (Junior Grade). Second, there are Senior Officers, Captains, Commanders and Lieutenant Commanders. Third, there are Junior Officers, Lieutenants, Sub-Lieutenants and Ensigns. Fourth, the split between Commissioned and Non-Commission Officers (NCOs) occurs with Senior NCOs, Warrant Officers Class 1 and 2, and Chief Petty and Petty Officers. Last, there are the Junior NCO ranks with Leading Seamen, Able Seamen and Seamen. By combining these similar rank groups and the different service types the following picture emerges:

²⁰⁹ These are the rank codes as used by the SAN, see Appendix for corresponding NATO rank/rating Codes

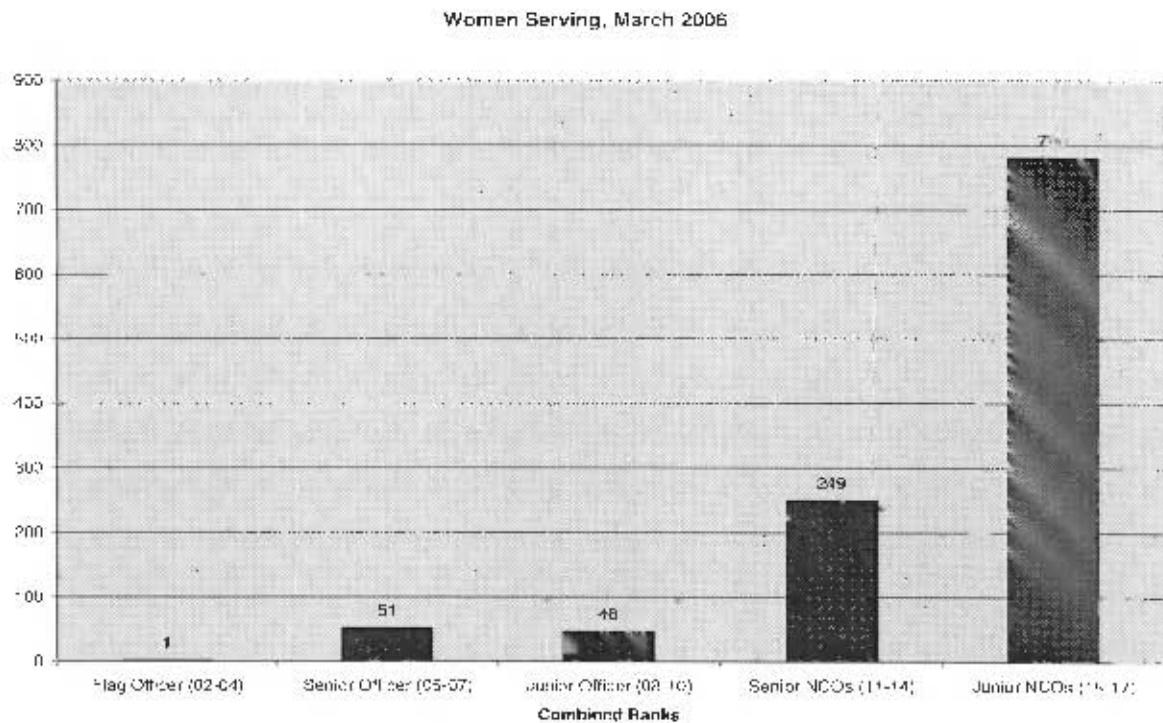


Figure 4.1 Rank Distribution of Women Serving, March 2006

There is only one female Flag Officer, and 51 Senior Officers. The Junior Officer ranks (Lieutenant to Ensign) have 46 females. The NCO ranks have much higher numbers, with 249 Senior NCOs (Warrant Officer 1 to Petty Officer) and a very high number of Junior NCOs (Leading Seaman to Seaman) at 780.

4.3.3 Numbers Discharged

The following table indicates the number of women who have left the service of the SAN from the formation of the SANDF on 28 April 1994 to 10 March 2006:

Ranks	Skills Development	Permanent Force	5yr Contract	2yr Contract	Total
Captain		2			2
Commander		14			14
Lieutenant		6			6
Commander		10			10
Sub-Lieutenant			4		4
Ensign			6		7
Warrant Officer Class 1		11			11
Warrant Officer Class 2		15			16
Chief Petty Officer		37			37
Petty Officer		3	1		4
Leading Seaman		21	41	7	69
Able Seaman	21	4	16	39	80
Seaman	25	19	8	30	82
Micshioman			2		2
Total	46	143	78	76	343

Table 4.2 Number of Women Discharged 28 April 1994 - 10 March 2006

Once again, by merging similar ranks and the service types, the following is produced:

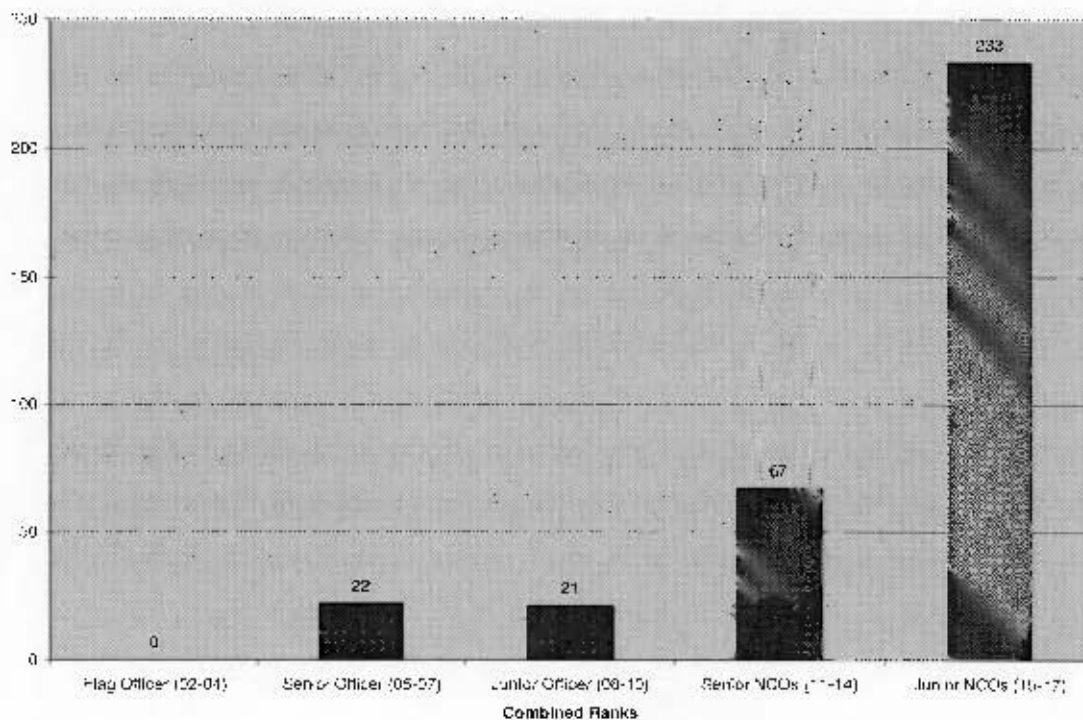


Figure 4.2 Rank Distribution of Women Discharged, 28 April 1994 - 10 March 2006

Thus, there have not been any female Flag Officers leaving the service. The other officer ranks have similar levels of women discharged, with 22 and 21 respectively. The Senior NCOs have seen 67 women discharged, whilst the Junior NCOs have had far more women discharged, at 233.

As is shown, there are a fair number of women serving throughout the rank structures, with a large number of women leaving the junior ranks. The significance of the data will now be discussed in comparison to previous data for 1999 and to similar data for the number of men serving.

4.4 Comparisons

The comparison of data will be structured firstly with regards to the data for women serving in the SAN in March 1999. Subsequently, both the 2006 and the 1999 data will be compared with the relative number of men serving. This will open the way for an assessment of the SAN's transformation.

4.4.1 Women Serving in 1999

The data for this section was gathered from a SANDF Annual Report in 1999.²¹⁰ The year is significant in that it is roughly mid-way into the SAN's transformation process. Furthermore, neither previous annual reports nor subsequent reports contain the same detailed information explicitly for the SAN. There is data for the SANDF as a whole, but not for the different arms of the military.

The table presented in that annual report is as follows:

²¹⁰ SANDF, 1999 "Part VI: Maritime Defence Programme: SA Navy" in *Annual Report 1999*, http://www.mil.za/Articles&Papers/AnnualReports/AnnualReport1998_1999:MaritimeDefence.htm date accessed: 15/04/2005, date modified: no date given

Code	Rank	African Male	Female	Coloured Male	Female	Asian Male	Female	White Male	Female	Total
2	Vice-Admiral	0	0	0	0	0	0	1	0	1
3	Rear-Admiral	0	0	0	0	0	0	2	0	2
4	Rear-Admiral (JG)	2	0	0	0	0	0	7	0	9
5	Captain	5	0	1	0	1	0	51	0	58
6	Commander	1	1	4	0	1	0	122	9	138
7	Lieutenant – Commander	5	0	4	0	4	0	62	8	83
8	Lieutenant	6	1	2	5	3	0	48	7	72
9	Sub-Lieutenant	19	2	4	0	2	0	68	9	104
10	Ensign	11	0	3	0	2	1	33	3	53
11	Warrant Officer 1	0	0	19	0	14	0	219	13	265
12	Warrant Officer 2	1	0	57	0	34	0	137	17	246
13	Chief Petty Officer	2	0	289	1	121	1	259	41	714
14	Petty Officer	55	12	308	14	116	4	165	19	693
15	Leading Seaman	374	33	421	48	142	13	270	27	1 328
16	Able Seaman	353	47	326	48	86	11	189	29	1 089
17	Seaman	183	55	103	31	56	9	164	23	624
	Total	1 017	151	1 541	147	582	39	1 797	205	5 479

Table 4.3 Naval Service in 1999 by Race and Gender

First, the data will be split into gender and subsequently into race. The table for gender is as follows:

Code	Rank	Female	Male
2	Vice-Admiral	0	1
3	Rear-Admiral	0	2
4	Rear-Admiral (JG)	0	9
5	Captain	0	58
6	Commander	10	128
7	Lieutenant-Commander	8	75
8	Lieutenant	13	59
9	Sub-Lieutenant	11	93
10	Ensign	4	49
11	Warrant Officer 1	13	252
12	Warrant Officer 2	17	229
13	Chief Petty Officer	43	671
14	Petty Officer	49	644
15	Leading Seaman	121	1207
16	Able Seaman	135	954
17	Seaman	118	506
	Total of Force	542	4937

Table 4.4 Gender 1999

When these levels are compared with those in 2006, the following can be produced:

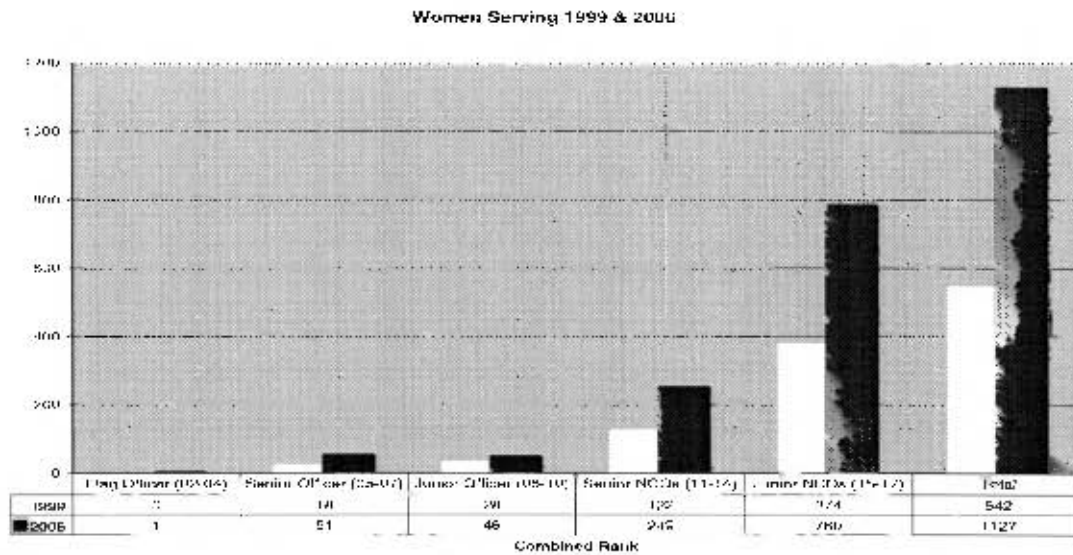


Figure 4.3 Women Serving 1999 & 2006

Clearly, the number of women serving in the SAN has increased sizeably throughout the ranks. The only exception to this has been the ranks of Junior Officers, which have not seen a significant increase. However, this is in keeping with the general trend in the SAN where senior officers outnumber junior officers, as will be shown when comparing rank distribution with men. The distribution of women as a percentage is illustrated in the following chart:

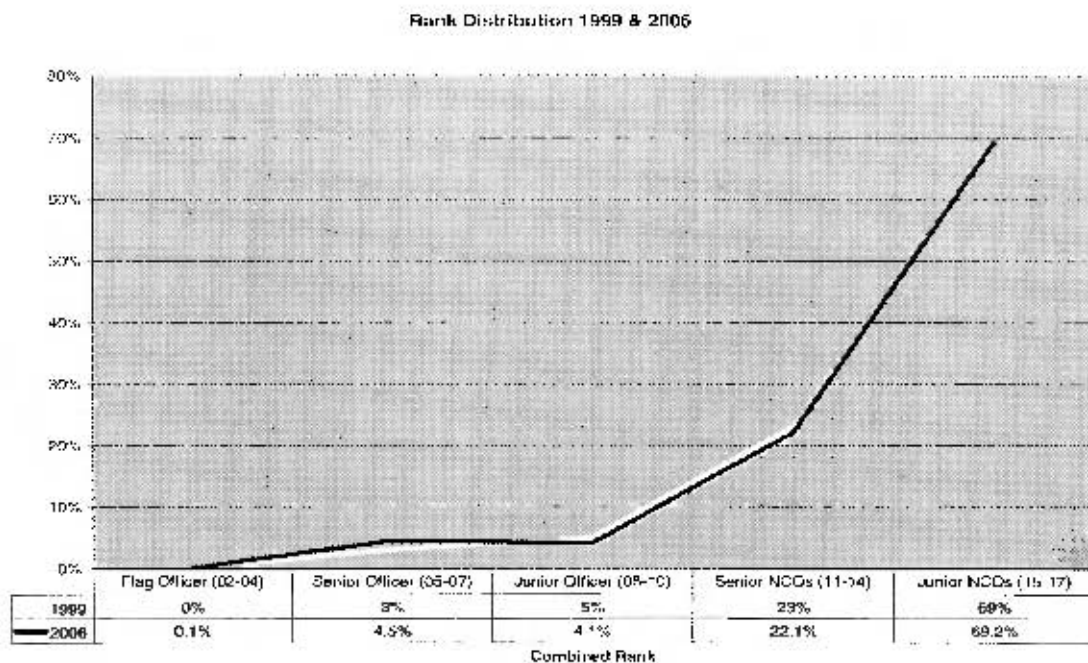


Figure 4.4 Rank Distribution for Women, 1999 & 2006

The above graph illustrates that the distribution of women throughout the ranks has not changed significantly between 1999 and 2006, with the vast majority of women being represented in the Junior NCO ranks. Additionally, there is the first representation of women in the Flag Officer ranks with the appointment of Rear Admiral (Junior Grade) Khanyisile Litchfield-Tshabalala, who was promoted in January 2004.

The above data needs to be compared with the relative number of men serving to generate an effective representation of women in the SAN.

4.4.2 Men Serving in 1999 and 2006

Having already introduced data for the number of men serving in 1999, the same must now be done for the number of men in 2006:

	Rank	Skills Development	Permanent Force	5yr Contract	2yr Contract	Total of Force
2	Vice Admiral		1			1
3	Rear Admiral		3			3
4	Rear Admiral (JC)		14			14
5	Captain		65			65
6	Commander		103	1		104
7	Lieutenant Commander	2	52	25		79
8	Lieutenant	1	19	73		93
9	Sub-Lieutenant	4	2	73		90
10	Ensign	47		16	2	65
11	Warrant Officer Class 1		292			292
12	Warrant Officer Class 2	2	243	2		247
13	Chief Petty Officer	8	514	80		602
14	Petty Officer	61	224	438		723
15	Leading Seaman	216	54	352	97	719
16	Able Seaman	364	2	80	23	469
17	Seaman	791				791
	Total	1516	1588	1140	123	4367

Table 4.5 Number of Men Serving as of 10/03/2006

Once again, by collapsing service types and rank groups the following table can be produced for 2006 and 1999:

Rank	2006	1999
Flag Officer (02-04)	18	12
Senior Officer (05-07)	248	261
Junior Officer (08-10)	238	201
Senior NCOs (11-14)	1864	1796
Junior NCOs (15-17)	1999	2687
Total of Force	4367	4937

Table 4.6 Men Serving 2006 (Combined Ranks)

The table thus illustrates the overall decrease in the number of men serving in the SAN between 1999 and 2006, by 570. The distribution of this loss has varied over the ranks with an increase in the number of Flag Officers, Junior Officers and Senior NCOs, whilst the number of Senior Officers and Junior NCOs has declined significantly. As mentioned above, the SAN has seen more Senior Officers than Junior, and this trend is continuing.

The Percentage of Force by Rank for women is also important, as it demonstrates the effective distribution of women in relation to men through the ranks. A comparison of this distribution between 1999 and 2006 is as follows:

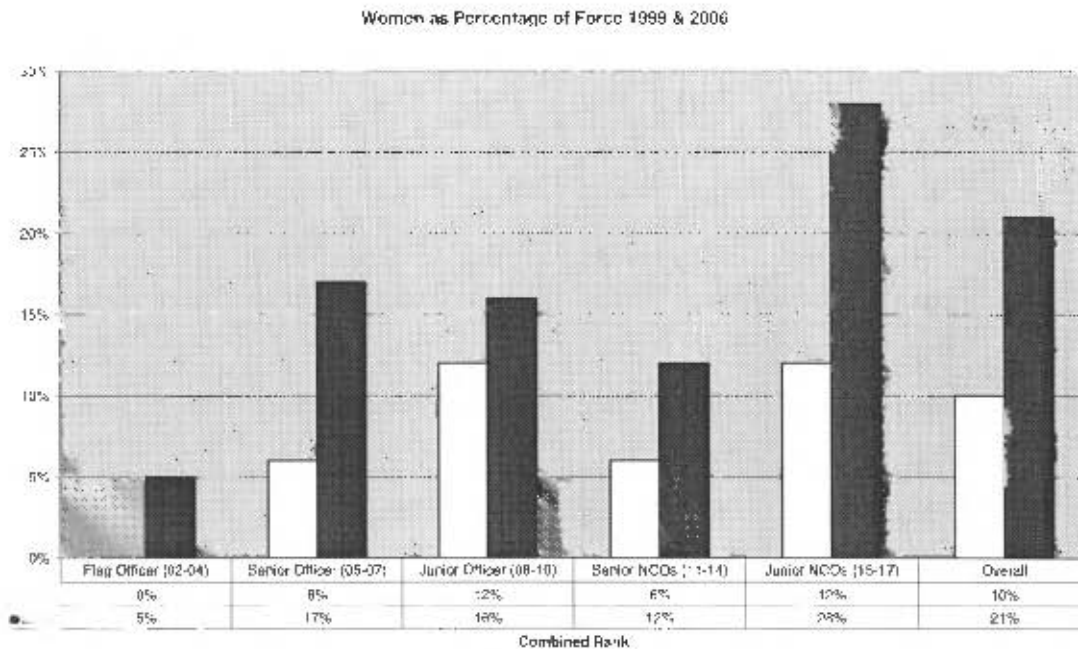


Figure 4.5 Women as Percentage of Total Force 1999 & 2006

Flag Officers have seen the first female Rear Admiral (JG), thus giving women a 5% representation at the most senior level. Senior Officers have seen a change from 6% to 17% and junior officers have increased from 12% to 16%, a fairly minimal increase. The Senior NCOs have increased from 6% to 12% and Junior NCOs have increased substantially from 12% to 28%, just shy of one-third of junior ratings. Overall, female representation in the SAN has increased from a nominal 10% in 1999 to a recognisable 21% in 2006. There has been a substantial increase in the number of women serving in the SAN both in numbers and in proportion to men.

However, when examining the number of discharges, a different picture emerges. First, the number and distribution of men to be discharged from the SAN is tabulated below:

	Rank	Skills Development	Permanent Force	5yr Contract	2yr Contract	Total of Force
2	Vice Admiral		5			5
3	Rear Admiral		3			3
4	Rear Admiral (JG)		18			18
5	Captain		58			58
6	Commander		116	1		117
7	Lieutenant Commander		81	4		85
8	Lieutenant		83	17		100
9	Sub-Lieutenant		76	56	1	133
10	Ensign		41	30		71
11	Warrant Officer Class 1		200			200
12	Warrant Officer Class 2		121			121
13	Chief Petty Officer		515	8		523
14	Petty Officer		356	89	2	447
15	Leading Seaman		341	466	63	870
16	Able Seaman	59	69	179	343	650
17	Seaman	73	25	23	174	295
	Total	132	2108	873	583	3696

Table 4.7 Men Discharged Between 28 April 1994 and 10 March 2006

The service types and rank-groups can be collapsed again to generate the following table:

Rank	Rank Distribution	
Flag Officer (02-04)	26	1%
Senior Officer (05-07)	260	7%
Junior Officer (08-10)	304	8%
Senior NCOs (11-14)	1291	35%
Junior NCOs (15-17)	1815	49%
Total	3696	

Table 4.8 Men Discharged with Rank Distribution

The table indicates that the majority of men leaving have been in the Junior NCO ratings, although large numbers can be seen throughout the rank structure. This is then compared to the number of women to be discharged.

Rank	Rank Distribution	
Flag Officer (02-04)	0	0%
Senior Officer (05-07)	22	6%
Junior Officer (08-10)	21	6%
Senior NCOs (11-14)	67	20%
Junior NCOs (15-17)	233	68%
Total	343	

Table 4.9 Women Discharged with Rank Distribution

If these two tables are graphed together, the following is generated:

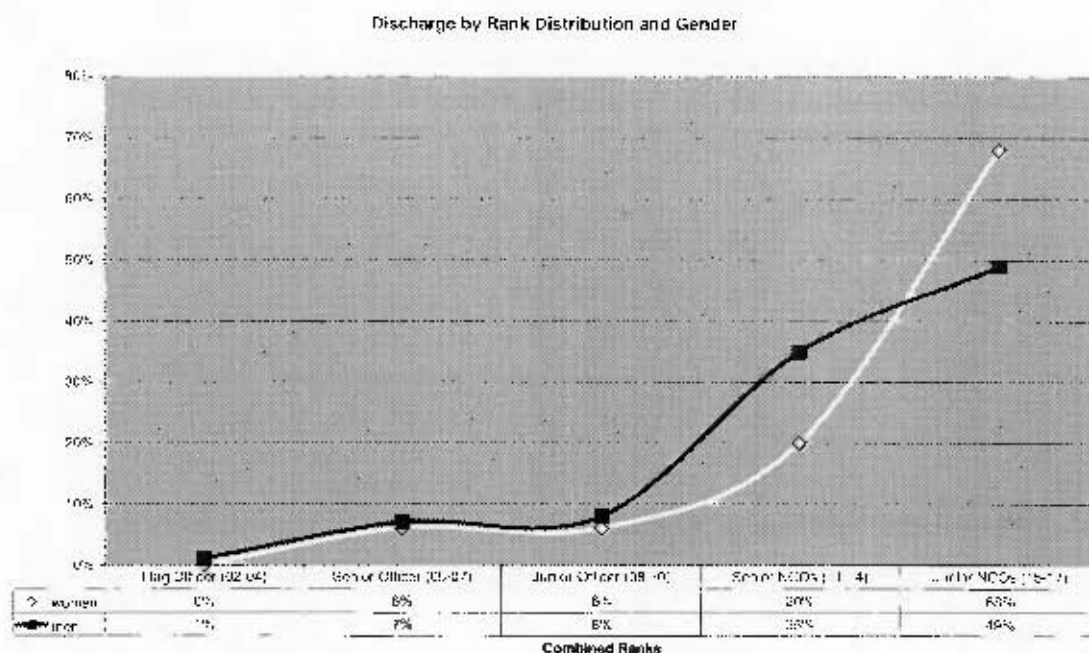


Figure 4-6 Discharged as Percentage by Rank and Gender

This graph, therefore, clearly illustrates how, for the most part, the number of women to be discharged is in keeping with the numbers of men leaving. The officer corps sees a mere 1% or 2% difference, whilst the Senior NCOs differ by 15 percentage points, and the Junior NCOs differ by 19 percentage points. The different service types have seen roughly the same number of women leaving at the Junior NCO level, whilst the Senior NCO levels are entirely Permanent Force leavers. This would indicate that the retention levels amongst the most junior levels need to be improved for women. However, it is difficult to draw inferences as the reasons for being discharged may vary. The high number of Permanent Force leavers would be indicative of the SANDF's rationalisation process, but this would not account for the high number of MSDS and Contract leavers. This certainly warrants further research into the particular reasons that women may have for leaving.

4.4.3 Comparisons with Race

Throughout the Literature and the Policy documents, Race and Gender were often discussed as similar and/or related issues to be addressed in the transformation project. However, it is the contention of this paper that Gender Transformation is a very different process from that of Racial Transformation. As such, this section will compare the different levels of success between Race and Gender transformation in the SAN.

As it is the goal of the SAN and the other armed forces to be broadly representative of the demographics of the population, these figures must be introduced. In 1999 the racial demographics of the population were: Africans 73%, Coloureds 10%, Asians 3% and Whites 13%.²¹¹ The most current statistics available are for mid-year estimates for 2005, which showed the racial distribution to be: Africans 79%, Coloureds 9%, Asians 2% and Whites 9%.²¹² Thus, for there to be a fair racial distribution in the SAN, the figures should match. For 1999, the following table represents the combined rank distribution by race:

Combined Ranks (race)	African	Coloured	Asian	White
Flag Officer (02-04)	17%	0%	0%	83%
Senior Officer (05-07)	4%	3%	2%	90%
Junior Officer (08-10)	17%	6%	3%	73%
Senior NCOs (11-14)	4%	36%	15%	45%
Junior NCOs (15-17)	34%	32%	10%	23%
Total of Force	21%	31%	11%	37%

Table 4 10 Service Numbers by Race 1999

²¹¹ Statistics South Africa "Mid-Year Estimates" 1999, date accessed: 14 April 2006, date modified: 12 July 1999, <http://www.statssa.gov.za/publications/P0302/P03021999.pdf>

²¹² Statistics South Africa "Mid-Year Estimates" 2005, date accessed: 14 April 2006, date modified: 31 May 2005, <http://www.statssa.gov.za/publications/P0302/P03022005.pdf>

The table illustrates the racial distribution as being heavily weighted in favour of Whites in the Upper Ranks, with the only minority being in the Junior NCO ratings. Indeed, it is only in that rating that the racial distribution nears the actual demographics of the country. In 2006, the figures are:

Combined Ranks (race)	African	Coloured	Asian	White
Flag Officer (02-04)	16%	3%	3%	78%
Senior Officer (05-07)	16%	5%	2%	77%
Junior Officer (08-10)	45%	10%	4%	41%
Senior NCOs (11-14)	16%	35%	13%	35%
Junior NCOs (15-17)	61%	20%	5%	15%
Total of Force	40%	24%	8%	28%

Table 4.11 Service Numbers by Race 2006

Here the situation is slightly different, with a greater decrease in the representation of Whites across the board. The lower ranks better reflect the demographics with 61%, 20%, 8% and 15%, being fairly close to the respective levels of 79%, 9%, 2% and 9% for Africans, Coloureds, Asians and Whites respectively. The Junior NCO ratings, however, are still fairly unrepresentative. That being said, the racial transformation of the SAN is proceeding far better than the gender transformation, with a 79% to 21% split. Moreover, there has been a substantial difference at the Junior Officer ranks, where as previously 73% were white, the figure is now at 41%, a 32% change in seven years. This is perhaps the most dramatic change in the composition of the SAN over the past few years.

4.4.4 Comparison with Other Service Arms

The earliest and most recent figures obtainable for a gender profile of the SANDF are from November 1996 and July 2005.²¹³

²¹³ Directorate Personnel Planning, Personnel Division SANDF, as in Heinecken L, *The Soldier As Employee: The Compatibility of Labour Rights with Military Service*, MSocSc Dissertation, University of Cape Town, 1997, pp 114; and Directorate Service and labour Relations, *Personnel Statistics*, July 2005, Department of Defence, Pretoria

	1996				2005			
	Male	%	Female	%	Male	%	Female	%
Army	61304	94	3749	6	35835	86	5667	14
Air Force	9826	88	1347	12	7741	84	1495	16
Navy	5254	92	440	8	4786	82	1072	18
SAMHS	3473	55	2892	45	2774	47	3094	53
Overall	79857	90	8428	10	51136	82	11328	18

Table 4 12 Gender Percentage by Service Arm 1996 and 2005

This tables demonstrates that first, the SAN is the smallest service arm by personnel. Thus, although the other service arms may have more women overall, the proportion of women to men is relatively high in the SAN, with the obvious exception of the SAMHS. The SAMHS stands in stark difference to the other, more traditional arms in that there is an over 50% representation of women. By excluding the SAMHS, the overall figure changes to 7% female in 1996, and 15% in 2005. By this formulation, the SAN is staying ahead of the general trend, with a 10 percentage point change over the time period. The figure has also risen to 21% as for March 2006.

These are only the overall figures for the service arms, and so although other arms might employ more women, the distribution of women through the ranks could be markedly different. There is no doubt, however, that more women are being recruited, percentage wise across the board in the SANDF, even taking into account the rationalisation process.

4.4.5 Comparison by International Standards

Referring back to the statistics provided on the international experience of women in navies, when the South African case is compared with other established navies it appears that transformation is proceeding very well. Mentioned in the Introduction was the lack of adequate comparisons with South Africa for this dissertation, however, this section will provide brief statistics for the NATO navies of Canada and UK. Thus the current figure of 21% for the SAN is strikingly good.

Chapter 5 – Assessment and Conclusion

5.1 Summation

Through a survey of the literature, the broad transformation project underway in South Africa has been addressed. Here it was shown that as important as the concept is, there is no authoritative definition of “transformation”. As such, through studying various types of texts it was established that in “transformation” two apparent goals are pursued: changes in the personnel and demographics; and changes in governance and behaviour. In addition, transformation is a two-tiered project – it involves the change of society concurrent with change in the state. Therefore, the paper defined “transformation” as: a fundamental change in the composition, structure and institutional framework of a state institution. Thus, transformation is not just the changing of faces but a considerable qualitative change in the institution as a whole.

Literature on the transformation of the military was examined. For the DoD and the SANDF transformation meant changes in fundamental ways. Foremost has been the establishment of civilian control over the military, primarily through the Parliamentary Defence Committees, but also through internal structures in the DoD. The culture of the organisation has also been addressed, along with the force design and structure. Personnel matters have also been raised; these include the integration of statutory and non-statutory forces, rationalisation, demobilisation and representivity. Transformation was once more seen as a twin project concerning the personnel and the behaviour of the organisation.

Finally, the literature relating to women in the military was surveyed, in both international and national realms. Internationally, the literature showed that the cases varied with few similarities. The US might not conscript women, yet more women have been deployed in armed conflict by the US than any other nation.

Even in countries where women are conscripted, or are able to volunteer, there is typically a different set of rules applied to women. Most Western militaries tend to limit the combat roles of women, whilst most liberation movements grant more active roles. These roles do not continue post-liberation, as the overwhelming number of cases suggest. Hence the special case of South Africa, where the unrestricted service of women has necessitated a number of far-ranging adjustments not only in representation and personnel, but also in the structure, organisation and governance of the military.

Gender Transformation is thus defined as an increase in the number of women serving, without hindrance to roles, as well as the inclusion or creation of effective structures and institutions and management of relevant issues that the full inclusion of women necessitates. These issues include: Equal Opportunity and Affirmative Action, Pregnancy, and the Establishment and Maintenance of a Gender Neutral Environment and Rank Distribution.

5.2 Assessment

What then can be concluded from the South African Navy's Gender Transformation project? By examining the available literature, the first conclusion that can be drawn is that there is a lack of an authoritative definition of transformation, which has led to a sizeable gap in the literature. Transformation is, therefore, not any one thing, and is a highly contested term with many accompanying variables.

Additionally, there is also a considerable gap in independent, peer-reviewed monitoring of the SANDF. Few of the major research institutions in South Africa conduct continuous monitoring of issues facing the military, and as such there have been no other assessments of gender transformation in the SANDF.

Therefore, a workable definition of transformation must be advanced. Hence, *transformation* entails a meta-change in the organisation and behaviour of a state institution concurrent with a change in the demographics and personnel.

In terms of changes in organisation and behaviour, the three Naval Orders taken together form a meaningful indicator of the state of change in the SAN. The inclusion of women in all service domains has entailed the establishment and maintenance of a gender neutral environment. This not only refers to behavioural aspects – training, recruitment, language use, general behaviour, specialised policies for pregnancy and dress codes – but also in structural terms, for promotion criteria, and concretely, in terms of the building of separate housing and ablution facilities.

However, more clarification needs to be made of the SAN's understanding of *gender-neutral* and *gender-friendly*. Gender-friendly implies that the SAN make the environment amenable to the employment of women, whilst gender-neutral would require the extension of the same rights and privileges to both men and women. Such would be the case regarding maternity leave – under a gender-neutral framework, men serving in the SAN would most likely also apply for leave.

Additionally, the policies do not account for why not all women are ready for gender transformation, as Ms Van Rensburg stated in a report to Parliament. For instance, elaborate fast-tracking policies will yield few results if many women view employment in the SAN as a short-term prospect.

Clear targets have not been set in any of the documents by the SAN, SANDF, DoD or Parliament. If the policies are not designed around an understood meaning of gender transformation (in terms of representation)

problems would arise when policies designed around an implicit 20% representation are being implemented in a SAN with 50% representation.

The policy documents also do not show how gender transformation may differ from racial transformation. The data clearly illustrates that these are two different processes with vastly different results. Clarity is sought to ensure that the policies do not work at cross purposes.

Regarding the actual changes in demographics, the data obtained from Fleet Human Resources in Simon's Town indicates a fair amount of change, with a few reservations. First, the SAN, like all arms of the SANDF, has been undergoing a process of rationalisation and down-sizing. Therefore, there would be less room for women to expand in a shrinking institution.

Second, there is a high number of contract personnel on either 5 year or 2 year contracts, with 349 as of March 2006. This amounts to 31% of all the women currently serving in the SAN. More than half are still in the Military Skills programme, which leaves only 165 permanent force personnel. For men in the SAN, the figure is almost an equal split between contract, permanent and MSDS. Therefore, women in the SAN are being employed in a somewhat different pattern to men. This could lead to problems and repercussions in the near future.

However, overall the number of women has risen considerably over the last few years, with an over 100% increase in 6 years. Moreover, when considering the decline in the number of men serving since 1999, the picture looks even better as the representation of women through the rank structure of the SAN has increased across the board, with nearly 30% representation at the junior ratings.

The conclusion can be made that compared to a racial transformation project, gender still has a way to go, especially if it is to reach 50-50 representation, as Chairperson Tobias and Parliament would like. As far as it is

progressing, the interviewed MPs also expressed their satisfaction at present, but with the stipulation that more can be done. However, the likely limitations to this target are beyond the scope of this paper.

When compared with the archetypal professional militaries of NATO, the SAN, by international standards, has transformed remarkably. The 21% overall representation of women is ahead of all the NATO militaries.

Thus, when answering the research question - How has the South African SAN progressed in transforming the role of women, as one aspect of the Military which is one part of the broader process of transformation in South Africa? Three answers can be given. Firstly, compared to other navies the SAN has done very well. Secondly, as a descriptive assessment in terms of the definition, then the SAN has certainly undergone fundamental changes in terms of behaviour and organisation. As for the demographics, Parliament would like to see more, and perhaps the 28% representation at junior ratings is indicative of a higher future representation.

5.3 Implications & Further Research

As mentioned, the most important Naval Orders have only recently been promulgated and thus their full implications have yet to be realised. Furthermore, the first of the SAN's submarines have only just arrived and thus the desired operational capacity of the SAN has yet to be reached. However, once the full contingent of ships and submarines has arrived, a similar study would most certainly be warranted. Similarly, once the rationalisation and down-sizing processes have been completed and the force-level remains relatively constant, a similar study should yield interesting results.

Of potential concern to Parliament and the SAN, and thus an issue for further research, is the large percentage of women leaving the SAN at the junior

ratings of Seaman, Able Seaman and Leading Seaman. Although one might expect these to be mostly old permanent force or MSDS members leaving, it is in fact across the board.

Research should also be conducted into women's experience of gender transformation in the SAN to see the individual effects of the SAN's policies on its female personnel. Subsequent to this should be a study on if and why there are different perceptions around gender transformation amongst women in the SAN.

The amount of funding required and being made available for these policies and for the active recruitment and retention of women in the SAN is another potential study. Such a study would reliably test the military's commitment to gender transformation in a very practical sense.

This study should be a concern for those interested in SSR, specifically and policy transformation in general. Many countries are currently undergoing a revision of their gender policies vis-à-vis their militaries, and the case of South Africa would provide a number of lessons for individual countries. Comparative studies could also be conducted to see how the various aspects of gender transformation have been felt in other navies.

Further studies could also be conducted for the other arms of the SANDF. The SAMHS, with a female representation of 53%, certainly warrants further research and insight. The concerns of Parliament are not only limited to the SAN after all, and literature on the topic showed that similar issues relating to navies also occur in air forces.

Glossary of Naval Definitions*

- a. **Affirmative Action** refers to programmes or actions that redress racial, disability and gender imbalances in the SA Navy. The objective is to have a workforce (both PSAP and military members, including those in leadership positions) representative of all levels of the population of South Africa. AA also includes practices that ensure that persons hitherto prejudiced by past policies or unequal access to education and training, owing to discrimination based on race, gender, sexual orientation, or disability, are able to acquire job opportunities and appropriate training.
- b. **Affirming** refers to a process of advancing those who were previously disadvantaged during the Apartheid era. It is thus the process whereby such groups are affirmed by way of AA programmes in order to accelerate their advancement.
- c. **Development** refers to training and mentoring SA Navy personnel in order to enable them to improve their performance in the execution of their tasks. It is the process of acquiring skills and abilities and increasing levels of self-confidence through a step-by-step process of performing increasingly challenging tasks.
- d. **Direct discrimination** refers to the behaviour of a person who, on the grounds of, inter alia, someone's race, gender, sex, pregnancy, marital status, ethnicity or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language and birth, treats another person less favourably than s/he would treat someone of another disposition.
- e. **Disadvantaged** refers to any person or group of people who have been deprived of rights, career opportunities, education, training, or job advancement, or who have received less beneficial schooling, fewer benefits, less beneficial conditions of service, or lower wage rates than any other group or groups on the grounds of race, gender, or disability, and/or have been discriminated against by any form of distinction, preference or exclusion or personal treatment that directly or indirectly restricted development, made separate provision for, or provided less favourable treatment, on the grounds of race, gender, sexual orientation or disability.

* As edited from Director Naval Personnel, Naval Order PERS NO 3/2001 "Appendix A, To VSH/R/106/30/P" *Equal Opportunity and Affirmative Action*, July 2001, and Chief of Naval Staff, Naval Order: GEN NO 1/2006, *Gender Transformation in the SA Navy*, February 2006, pp 3 – 4

- f. **Discipline** refers to a behavioural pattern inculcated in individuals that ensures prompt obedience to legitimate orders or, in the absence of such orders, ensures that individuals act in accordance with prescribed norms. The desired norms are those that encourage self-discipline, and individuals can clearly distinguish between what is expected or demanded and can act accordingly. Individuals ought to refuse to execute orders and actions that are illegal. Discipline also refers to censure or punishment by authority to preserve order and to prevent behaviour from disrupting the functioning of the SA Navy. In accordance with the participative style of command and management encouraged in the SA Navy, prompt obedience is still a necessity, particularly during exercises and operations.
- g. **Discrimination** refers to the unfair treatment of a person or group of persons either directly or indirectly, intentionally or unintentionally, based on, but not limited to, his or her race, gender, sexual orientation, age, disability, religion, conscience, belief, political opinion, culture, language, marital status, pregnancy, or family responsibility. Discrimination deprives a person of the right to adequate protection and advancement. Discrimination on one or more of these grounds is unfair, unless it is established that such discrimination is fair. Discrimination also refers to making distinctions or choices based on factors other than individual merit or established standards that have an adverse impact on an individual or members of a group. Several specific variations are identified, namely:
 - **Overt or Blatant Discrimination.** Overt or blatant discrimination refers to discrimination that is open to view and is completely obvious, conspicuous or obtrusive.
 - **Covert or Subtle Discrimination.** Covert or subtle discrimination refers to discriminatory acts that are hidden and committed insidiously or cunningly. Subtle aggression is sometimes the result of personal racism.
 - **Fair Discrimination.** Fair discrimination refers to discrimination that is based on the requirements of a job or post.
 - **Unfair Discrimination.** Unfair discrimination refers to discrimination that is unconstitutional and does not conform to the legitimate requirements of the job or post.
- h. **Empowerment** refers to the process of “conscientisation” which builds critical analytical skills for an individual to gain self-confidence in order to take control of her or his life. Empowerment of women is essential to the process of transformation because it addresses the structural and underlying causes of subordination and discrimination.
- i. **Engendering** refers to the process of integrating Gender considerations and concerns into words, actions and assessment

- j. **Equality** refers to the state of being equal. In simple terms, this means having an equivalent theoretical status, value or opportunities, within the context of legal and institutional structures. By saying that “all people are equal before the law”, we state that the law should treat each person solely in terms of their actions and behaviour, without being biased as regard who they know, how rich they are, or what gender or race they are. This approach allows people to be regarded as “equals”. However, when historical discrimination is practised, people are often deprived of the opportunity of becoming truly equal.
- k. **Equality of Opportunity:** Equal access to, and share of, employment opportunities, services and resources, as well as equality of treatment.
- l. **Equal Opportunities** refer to the right of all persons to equally participate in, and benefit from, programmes and activities for which they are qualified. Such programmes and activities shall be free from social, personal, or institutional barriers that prevent people from advancing to as high a level of self-actualisation/responsibility as possible. Persons shall be evaluated in an unbiased manner, on individual merit, on their physical and mental well-being (according to job requirements) and ability, irrespective of, but not limited to, their race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, political opinion, culture, language, marital status, pregnancy or family responsibility, except as otherwise prescribed by law.
- m. **Equal Opportunities Programme** refers to any programme that has as its objectives the establishment of employment equity and which develops intrinsic and personal merit criteria without reference to race, gender or disability.
- n. **Equity** refers to the state or quality of being fair; fairness in dealing in justice. Equity, as applied by the law, determines both that rules and regulations are applied equally to all people (as with the concept of “equality”), and also that measures are taken to ensure that inequality in background and previous opportunity is recognised and where possible, corrected.
- o. **Fast-track/ Fast-tracking** refers to the acceleration or the development of the previously disadvantaged groups.
- p. **Fraternisation:** In the SA Navy fraternisation refers to over-familiarity between junior and senior employees, more specifically this pertains to relationships between members of different ranks, and in particular, between officers and other ranks. Such relationships (whether sexual or

platonic) over rank barriers inevitably lead to a breakdown of the disciplinary structure and should be discouraged. Fraternisation has a definite negative connotation and should not be used as a euphemism for camaraderie.

- q. **Gender:** Whereas the term “sex” (as in the phrase “men and women belong to the different sexes”) refers to the anatomy and the biological differences between men and women, gender on the other hand, refers to the psychological differences between individuals and/or groups.
- r. **Gender Awareness:** Refers to a state of knowledge of the difference in roles and relations of men and women, and how this results in difference in power relations, status, privileges and needs.
- s. **Gender Equality:** Refers to a situation where men and women have equal conditions for realising their full human rights and potential, and are able to contribute equally within the organisation, and to benefit equally from the results. The concept takes in to consideration women’s subordinate positions within social relations, and aims at restructuring of society so as to eradicate male domination.
- t. **Gender Equity:** Refers to fair and just distribution of all means of opportunities and resources between men and women.
- u. **Gender Issues:** Are revealed when the relationships between women and men, and their roles, privileges, status and positions, are identified and analysed. Gender issues arise where inequalities and inequities are shown to exist between people purely on the basis of their being female or male.
- v. **Gender Sensitive:** Refers to the state of knowledge of the socially constructed differences between men and women, including their different needs, and the use of such knowledge to identify and understand the problems arising from these differences, and to act purposefully to address them.
- w. **Harassment** refers to unseemly behaviour exhibited, once or repeatedly, that offends, demeans, belittles, or humiliates, another person. In addition, the person exhibiting such conduct knows or ought to reasonably know, that such behaviour is unwelcome.
- x. **Indirect discrimination** refers to rules, practices or procedures that appear to be consistent with the principles of equality, but that implicitly reduce the mobility of the disadvantaged in the SA Navy because of the self-perpetuating organisational rules that restrict personal development.

Such discrimination occurs when a requirement or condition is applied equally to all employees, but

- the proportion of persons of a certain race, gender, sex, ethnicity or social origin, sexual orientation, colour, religion, belief, culture, or language and birth who meet the requirement is considerably smaller than the proportion of persons of another race, gender, sex, ethnicity or social origin, sexual orientation, colour, religion, belief, culture, or language and birth who meet the requirement; or
- a requirement or condition cannot be shown to be objectively justifiable, irrespective of race, gender, sex, ethnicity or social origin, sexual orientation, colour, religion, belief, culture, or language and birth, and exists to the detriment of the person concerned because s/he cannot comply with it.

- y. **Marital Status** refers to the status of either being married, being single (including widows/ widowers and divorcees), or living together with a person as if married.
- z. **Merit** refers to the quantitative and qualitative evaluation of an individual's abilities and performance measured against standard norms that have been scientifically established and prescribed for a particular mustering or post. The results obtained by the evaluation process make it possible to draw a direct comparison between the abilities and performance of other individuals filling the same mustering or posts. The evaluation includes an assessment of an individual's suitability for filling a position. The term merit is broader than simply formal qualifications, and takes into consideration prior learning, commitment, potential and ability. It also includes technical expertise, leadership qualities, and the capacity to communicate, to plan, to co-ordinate and to manage people.
- aa. **Practical Gender Needs:** Refers to the needs identified to help women cope better in their existing subordinate positions. Practical needs are related largely to welfare and do not challenge the existing Gender division of labour or the subordinate position of women in society.
- bb. **Promotion** refers to the practice of advancing SA Navy personnel in compliance with the minimum requirements, as prescribed by the promotion policy.
- cc. **Representivity** refers to the extent to which the demographic composition of the SA Navy at all levels broadly corresponds with the demographic composition of the people of South Africa.
- dd. **Sexism:** In its simplest form, sexism refers to the unfair or unequal treatment of a person of another sex because of an attitude or belief that

one sex/ gender is superior to another: classically, men superior to women.

- ee. Sexual Harassment refers to a form of unlawful sexual discrimination that involves unwelcome or unwanted sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature, when
- submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an employee's or member's job, salary; or career;
 - submission to or rejection of such conduct is used as a basis for career or employment decisions that affect an employee or member;
 - such conduct interferes with an employee's or member's performance or creates an intimidating, hostile, offensive environment;
 - any supervisor or commander uses or condones implicit or explicit sexual behaviour to control, influence, or affect the career, salary, or job of a military member or PSAP employee.
 - any military member or PSAP employee who holds a junior or senior rank or who is of a different or same gender and who makes deliberate or repeated unwelcome, verbal comments, gestures or physical contact of a sexual nature or any repeated innuendo of a sexual or offensive nature or that is perceived as such; or
 - an action that creates offensive, uneasy, uncomfortable, or distressful feelings. Sexual harassment can be caused by jokes, inappropriate use of language, graffiti, postures, gestures or behaviour.
- ff. Strategic Gender Needs: Refers to needs which are identified as necessary to transform the existing unequal relations between men and women. Addressing the strategic Gender needs of women expedites women's empowerment and facilitates social and organisational transformation.

Appendix A: Naval Ranks

US Navy	Code	Royal Navy	Code	SA Navy	Code
Fleet Admiral*	O11				
Admiral	O10	Admiral of the Fleet*	OF-10		
Vice Admiral	O9	Admiral	OF-9		
Rear Admiral (Upper Half)	O8	Vice Admiral	OF-8	Vice Admiral	02
Rear Admiral (Lower Half)	O7	Rear Admiral	OF-7	Rear Admiral	03
Captain	O6	Commodore	OF-6	Rear Admiral (JG) ^x	04
Commander	O5	Captain	OF-5	Captain	05
Lieutenant Commander	O4	Commander	OF-4	Commander	06
Lieutenant	O3	Lieutenant Commander	OF-3	Lieutenant Commander	07
Lieutenant JG	O2	Lieutenant	OF-2	Lieutenant	08
Ensign	O1	Sub-Lieutenant	OF-1	Sub-Lieutenant	09
Chief Warrant Officer 4	CWO4	Midshipman	OF(D)	Ensign	10
Chief Warrant Officer 3	CWO3	Warrant Officer Class 1	OR-9	Warrant Officer Class 1	11
Chief Warrant Officer 2	CWO2	Warrant Officer Class 2	OR-8	Warrant Officer Class 2	12
Chief Warrant Officer 1	CWO1	Chief Petty Officer	OR-7	Chief Petty Officer	13
Master Chief Petty Officer	E9	Petty Officer	OR-6	Petty Officer	14
Senior Chief Petty Officer	E8	Leading Rate	OR-4	Leading Seaman	15
Chief Petty Officer	E7	-	OR-3	Able Seaman	16
Petty Officer 1st Class	E6	Able Rate*	OR-2	Seaman	17
Petty Officer 2nd Class	E5	-	OR-1	-	-
Petty Officer 3rd Class	E4				
Seaman	E-3				
Seaman Apprentice	E-2				
Seaman Recruit	E-1				

* Note: War-Time use only

^x Junior Grade

* Note: Royal Navy merged lowest rating and Able rating (OR 1 and 2)

Appendix B: Questionnaire for Members of Parliament

1. – What, to your knowledge, has been the level of progress made by the Navy in gender transformation?
2. – What do you feel are possible reasons/factors/forces best explain the Navy's policies and implementation (i.e. goals and means) in comparison to the other armed forces?
3. – What do you feel are possible reasons/factors/forces that best explain any obstacles or problems faced by the Navy?
4. – What proof have you personally seen? I.e. tours around the bases, special training projects, complaints received, etc
5. – How has the gender transformation project been felt in other areas of the military and the government?
6. – How do you view your party's role in gender transformation?
7. – How do you view Parliament's role in gender transformation?

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Please find enclosed two unbound copies of the dissertation of the student whose details appear below:

Candidate: Taylor, S (TYLSIM003))
Degree: MSocSc in International Relations
Title: Assessing the People's Navy: Gender Transformation and the South African Navy 1994-2006
Supervisor: Prof A Seegers

He is due to graduate in June 2007